



Grant Monitoring

Community Oriented Policing Services

www.usdoj.gov/cops/

Office of Community Oriented Policing Services

U.S. Department of Justice Grant Monitoring Standards and Guidelines

For

HIRING AND REDEPLOYMENT

REVISED, MAY 12, 1999

FINAL DRAFT

TABLE OF CONTENTS

I. PURPOSE OF THE PERFORMANCE STANDARDS GUIDE	1
II. PURPOSE OF THE COPS GRANT PROGRAMS	2
III. TYPES OF GRANTS	3
IV. MONITORING AND AUDITING REQUIREMENTS	5
V. COPS COMPLIANCE DEFINITIONS & CONDITIONS	9
A) Community Policing	9
B) Time Savings for Redeployment	13
C) Retention	17
D) Allowable Costs	20
E) Source of Matching Funds	24
F) Supplanting	26
G) Training: Special Conditioned Grantees	30
H) Reporting	30
VI. COPS PERFORMANCE INDICATORS	34
A) Community Policing	35
B) Time Savings for Redeployment	36
C) Retention	37
D) Allowable Costs	39
E) Source of Matching Funds	41
F) Supplanting	43
G) Training: Special Conditioned Grantees	47
H) Reporting	48
Appendix A: Glossary of Terms	50
Appendix B: Examples of Compliance/Non-Compliance Cases	56
Appendix C: Grant Threshold Review Dates	60
Appendix D: Reference Material	61

I. Purpose of the Performance Standards Guide

The purpose of this performance standards guide is to provide assistance with the monitoring, administration, and auditing of grant performance and compliance requirements. These activities help determine whether or not Community Oriented Policing Services (COPS) grantees are complying with their Hiring and Making Officer Redeployment Effective (MORE) grant terms and conditions. The eight compliance categories that interpret the terms and conditions for Hiring and MORE grants are: community policing; time savings for redeployment; retention; allowable costs; source of matching funds; supplanting; training; and reporting.

This performance standards guide provides two major functions for the Hiring and MORE grant programs. First, it provides a definition of each of the eight compliance categories, as well as the specific terms and conditions required to be in compliance with the COPS Hiring and MORE grant programs. Second, it provides a list of performance standards and indicators, for each category, which can be used to help determine whether or not grantees are meeting the intent of the COPS grant programs. Also included in the beginning of this guide is a summary of the COPS grants and an explanation of the program's monitoring and auditing activities that grantees can expect upon grant award.

II. Purpose of the COPS Grant Programs

When the Violent Crime Control and Law Enforcement Act of 1994 was signed into effect, it authorized the allocation of \$8.8 billion dollars over six years to rehire or hire and train additional career law enforcement officers for deployment in community oriented policing across the country. Attorney General Janet Reno created the COPS Office in the U.S. Department of Justice (DOJ) to implement the new law and to be responsible for supporting the addition of officers and promoting community policing strategies.

The goals of the COPS Office are to add 100,000 community policing officers or sheriff's deputies to America's neighborhood streets and advance community policing nationwide. Community policing can assist in reducing levels of violence, crime, and disorder in communities.

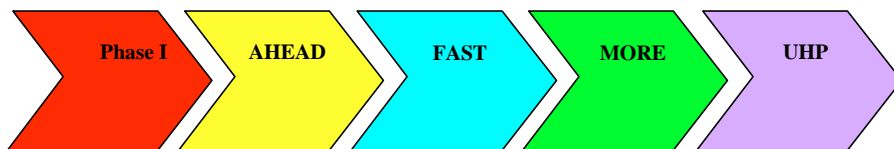
Community policing is an integral part of combating crime and improving the quality of life in the nation's cities, towns, and rural areas. This approach requires the police and citizenry to join together as partners in the course of both identifying and effectively addressing the causes and prevention of crime and disorder.

In the end, the overall intent of the grant program is to help develop an infrastructure that will institutionalize and sustain community policing after Federal funding has ended. The money awarded to the different law enforcement agencies is "seed" money that provides communities with enough resources to begin implementing community policing or to further advance existing community policing strategies.

III. Types of Grants

Two of the main categories of grants offered under the COPS program are Hiring and MORE. Of the Hiring grants, there are four types that were implemented at different stages of the COPS Program. Below is a rough chronology of COPS grant programs:

- Phase I
- Accelerated Hiring, Education, and Deployment (AHEAD)
- Funding Accelerated for Smaller Towns (FAST)
- Making Officer Redeployment Effective (MORE)
- Universal Hiring Program (UHP)



The first of these Hiring grants is the Phase I grant which superseded the Police Hiring Supplement (PHS). The PHS, administered by the Bureau of Justice Assistance, was created with the intent to increase police presence in America's communities. Limited funding prohibited the full implementation of PHS, and consequently only 9% of the overwhelming number of applicants were funded. With the creation of Phase I grants, \$200 million dollars were distributed to the remaining qualified PHS applicants to hire community policing officers.

AHEAD and FAST were the next two programs created by COPS. The purpose of the AHEAD program was to provide funds to law enforcement agencies for the purpose of hiring community policing officers. The AHEAD program provided funds to communities whose populations were 50,000 or more.

The FAST program provided funds to law enforcement agencies for hiring community policing officers in communities whose populations were less than 50,000. The FAST initial applications to determine eligibility were streamlined to one page and the funds awarded were expedited.

The UHP superseded FAST and AHEAD as the primary Hiring program. Funds awarded under the program are to assist law enforcement agencies in hiring additional community policing officers. The population of the community is not a qualifying factor for determining initial eligibility under the UHP.

The MORE programs provide funds not for hiring officers, but instead to acquire new technologies, equipment and civilian hires. The purpose of these acquisitions is to save officer time spent on administrative and support tasks, thereby allowing them more time

for community policing. Each item or position funded under the MORE program must free up time for a sworn officer. With the extra time, the officer performs community policing activities, and/or the community policing of the department is enhanced. It should be noted that overtime is also an allowable expense but only for the MORE '95 grants. It is not allowable under AHEAD, FAST, UHP, or other MORE grant programs.

IV. Monitoring and Auditing Requirements

Federal regulations require that any financial assistance from the Federal government be monitored to ensure that funds are spent properly. All grantees are subject to participate in several grant monitoring and auditing activities by the COPS Office, DOJ Office of the Inspector General (OIG), DOJ Office of Justice Programs' Office of the Comptroller (OC), U.S. General Accounting Office (GAO), and other duly-authorized representatives.

The purpose of monitoring is to ensure that grantees meet their programmatic and financial requirements. This will result in a mutually satisfactory outcome, the achievement of the grantees' goals and the successful implementation of the COPS program. In general, the COPS Office monitors program activities and the OC monitors financial activities. Monitoring activities include on-site reviews, COPS Count telephone-based surveys, and office-based legal, financial, and compliance reviews.

All grantees are subject to audits by the OIG and by any independent auditor in accordance with the Single Audit Act and guided by the standards established in OMB A-133 and government auditing standards. Audits are conducted to determine if grantees are meeting their financial and programmatic requirements and to issue a report on their standings. It is important to understand that auditors require written evidence of compliance with the grant laws and regulations, therefore, copies of **all** appropriate documentation should be kept at the local law enforcement agency offices. Verbal approval from the COPS Office for implementing major changes from the terms in a grantee's application may not be considered acceptable proof; written approval is usually required. The COPS Office also retains copies of certain documentation.

COPS MONITORING

The COPS Office is responsible for monitoring programmatic issues related to grant awards. Four activities are used to monitor grant awards by COPS: 1) office-based compliance reviews; 2) on-site program reviews; 3) COPS Count; and 4) program report reviews.

Office-based Compliance Reviews. The Office-Based Compliance Review system provides a centralized process within the COPS Office to coordinate the follow-up on external (media, citizens, etc.) and internal reports of non-compliance. Determination is made whether the issues can be resolved through phone or letter contact, or if a site visit is warranted by COPS, OC, or OIG. The compliance review process includes a review of grantee Program Progress Reports, COPS Count data, OC/OIG site visit reports, and contact with the grant advisor and Legal Division. Oftentimes, possible non-compliance issues can be resolved through phone contacts with grantees and receipt of documentation without on-site visits being conducted. COPS tracks all of these cases until closed.

COPS On-Site Program Reviews. The objective of the COPS on-site reviews is to assist in ensuring that grantees meet their programmatic requirements. Using site visits as a primary vehicle, the COPS Office is committed to assuring that COPS grants are properly and effectively utilized pursuant to the authorizing statute, grant assurances and guidelines, and all applicable federal statutes and regulations.

A site visit provides the COPS Office with the knowledge and documentation of how COPS funds are being used; how compliance issues are being addressed by the grantee; and provides firsthand observation of COPS program implementation and progress. If problems are cited during a review, then the necessary documentation is gathered and the problems are referred to the appropriate COPS division for resolution.

COPS Count. COPS Count is a telephone survey conducted three times a year. The purpose of the Count is to provide an accurate accounting of the COPS Office's progress towards achieving its goal of adding 100,000 additional law enforcement officers to the nation's streets through hiring and redeployment.

During the survey, all COPS Hiring and MORE grant recipients are contacted by telephone and asked for information regarding the status of their grants as of a selected date. This survey information is then summarized and compared with the total number of officers funded as of the same selected date. Specific survey information includes whether officers have been hired, are in training or have been deployed; hire dates of officers; redeployment dates and related questions for MORE grants; and, grantee plans concerning future hiring and redeployment.

Program Report Reviews. Grant monitoring is supplemented by reviews of the grant Program Progress Reports. The COPS Office reviews progress reports submitted by grantees throughout the life of the grant. Grantees awarded hiring grants must submit a Department Initial Report, a Department Annual Report, and an Officer Progress Report. MORE grantees must submit a MORE Progress Report.

OC MONITORING

The OC is responsible for monitoring financial issues related to grant awards. There are two activities used to monitor grant awards by the OC: 1) on-site financial reviews and 2) office-based financial reviews.

On-Site Financial Reviews. On-site financial reviews are conducted at the grantee's location to assess overall financial management of a grant with a focus on providing the grantee with immediate technical assistance to correct any weaknesses identified. The on-site financial review includes a review of: (1) the grantee's accounting system and internal control over the administration of COPS grants; (2) the grantee's cash management procedures; (3) the timeliness and accuracy of Financial Status Reports submitted, and (4) the expenditures charged to the grant to determine if expenditures are allowable and

supported. If any weaknesses are noted, OC provides technical assistance to individual grantees while on-site to ensure weaknesses identified through financial monitoring are corrected.

Results of financial monitoring are used to refine policy guidance to grantees. Additionally, these results are used in OC's grantee financial management training to highlight the types of weaknesses most commonly identified, and to provide grantees with training on how to avoid those same common errors in their organizations. For those grantees unable to attend financial management training, additional technical assistance on financial issues can be obtained by calling the OC Customer Service Center at 1-800-458-0786.

Office-based Financial Reviews. Grantees are required to submit financial status reports quarterly to OC detailing grant obligations and expenditures. The OC financial review includes an analysis of grant activity to date, financial reporting, payments under the grant, and audit reports issued on the grant. Additionally the OC interviews COPS Office staff, OC financial analysts, and grantee administrators. If financial problems are identified through the review process, then grantees are provided immediate technical assistance via the telephone and/or identified for a future on-site financial review.

AUDITING

The COPS program is subject to an OIG audit and an independent audit.

OIG Audits. The OIG conducts audits of selected grantees. The COPS Office works in partnership with the OIG to identify potentially problematic grantees for review. Grant audits focus on: 1) the allowability of grant expenditures; 2) the source of matching funds; 3) the implementation or enhancement of community policing activities; 4) the efforts to fill vacant sworn officer positions; 5) the plans to retain officer positions at grant completion; 6) the grantee reporting; and 7) the analyses of supplanting issues.

Independent Audits. OMB Circular A-133 establishes the requirements and thresholds for organizational financial and compliance audits that apply to COPS grantees. Grantees must arrange for the required organization-wide, not grant-by-grant, audits in accordance with the requirements of OMB Circular A-133. These audits review the administration of grant funds, including local match. Among other things, independent auditors determine whether grantees have spent the grant funds in accordance with the conditions of the COPS grant and provisions or with Federal law that may bear on grantees' financial statements.

If an auditor becomes aware of any issues or illegal acts, the auditor is required to give prompt notice of the problem to the department's management officials. The management officials are required to promptly notify the DOJ of the issues or illegal acts and of the proposed and actual actions to resolve the problems. The OC, in coordination with the

COPS Office, will track audit requirements. The OIG is also available to provide technical assistance to grantees in implementing audit requirements.

Future grants cannot be awarded to any applicant who has an overdue audit report or an open audit report where the grantee has not attempted to respond or has taken no action to resolve findings.

TERMINATION OF GRANT FUNDING

The COPS Office may revoke or suspend funding of a grant in whole or in part if as a result of the reviews, the COPS Office determines that a grant recipient is not:

- substantially complying with the requirements of the Act, the guidelines or with other provisions of Federal law;
- making satisfactory progress toward the goals or strategies in the application and information as reflected by performance and status reports;
- adhering to grant agreement requirements or conditions;
- submitting reports in a timely manner;
- filing accurate certification in connection with an application, periodic report, or other documents submitted to the COPS Office or the OC; or
- submitting for prior approval to the COPS Office any significant changes that grantee anticipates being made to the application before implementing those changes.

In taking an enforcement action, COPS will provide the grantee an opportunity for a hearing, appeal, or other administrative proceeding to which the grantee is entitled under any statute or regulation applicable to the action involved.

In the event that sanctions are imposed or a grant is terminated, the grantee will be notified in writing of the decision and the reason for that decision. Reasonable time will be given to either discontinue operations or seek support from other sources.

V. COPS Compliance Definitions & Conditions

The eight compliance categories that define the terms and conditions of the COPS Hiring and MORE grant programs are:

- A) Community Policing
- B) Time Savings for Redeployment
- C) Retention
- D) Source of Matching Funds
- E) Supplanting
- F) Allowable Costs
- G) Training
- H) Reporting

This section defines the eight categories and provides the accompanying conditions that are required to be in compliance with the COPS Hiring and MORE grants. Each category also includes examples to further clarify special conditions or calculations.

It is important to note that the Time Savings for Redeployment category pertains to the MORE grant program only. All other categories pertain to both the Hiring and MORE grant programs.

A) Community Policing

DEFINITION

Community Policing is a policing philosophy that promotes and supports organizational strategies to address the causes of and reduce the fear of crime and social disorder. This is achieved through problem-solving tactics and community-police partnerships. It enhances police professionalism by providing officers with the skills, technology, and motivation to act innovatively to solve community, crime-related problems.

This community policing approach requires the police and citizenry to join together as partners in the course of both identifying and effectively addressing the causes of crime and disorder. The focus of the police is not only on enforcement, but also on emphasizing the need for crime prevention and for proactively addressing the root causes of crime and disorder. The community is actively engaged in collaborating on prevention and problem solving activities with a goal of reducing victimization and fear of crime.

CONDITIONS

The policy of the COPS Office is that local agencies are best suited to determine their community crime-related problems and the policing activities that will solve them. Police, community members, and other public and private entities work together to address the

underlying problems that contribute to crime and disorder by identifying and analyzing problems, developing suitable responses, and assessing the effectiveness of these responses. Acceptable community policing activities are unique to each local community and must be addressed on a case-by-case basis.

Community Policing Activity Approval. The COPS Office is responsible for determining the applicability of grant awards to the community policing activities that are identified in grant applications. Community policing activities that will be executed by local law enforcement agencies are identified on grant applications and approved by the COPS Office before the grant is awarded. Any significant changes to the community policing activities identified in the grant application must be submitted in writing to the COPS Office. The COPS Office understands that local conditions quite frequently change and these changes may be included in the progress reports.

Evidence of Community Policing Philosophy. Integrating community policing into a traditional policing environment is an evolutionary process. The COPS grant award is an aid to this evolutionary process and therefore, the evaluation of community policing activities is unique to each local agency.

Evidence that law enforcement agencies are incorporating a community policing policy is witnessed through three core elements: 1) police organizational elements; 2) tactical elements; and 3) external elements. **Agencies may be anywhere on the continuum of incorporating community policing into their operations, therefore, the extent to which these elements are adopted by agencies varies.**

1. Police organizational elements
 - a. Philosophy adopted organization-wide. Department-wide adoption of community policing is evidenced by the integration of the philosophy into mission statements, policies and procedures, performance evaluations and hiring, promotional practices, training programs, and other systems and activities that define organizational culture and activities.
 - b. Decentralized decision-making and accountability. In community policing, individual line officers are given the authority to problem solve and make operational decisions concerning their roles, both individually and collectively. Leadership is required and rewarded at every level, with managers, supervisors and officers held accountable for decisions and the effects of their efforts at solving problems and reducing crime and disorder within the community.
 - c. Fixed geographic accountability and generalist responsibilities. In community policing, the majority of staffing, command, deployment and tactical decision-making is geographically based. Appropriate personnel are assigned to fixed geographic areas for extended periods of time in order to foster communication and partnerships between individual officers and their community. These personnel are accountable for reducing crime and disorder within their assigned area.

-
- d. Utilization of Volunteer Resources. Community policing encourages the use of non-law enforcement resources within a law enforcement agency. The law enforcement organization educates the public about ways that they can partner with the organization and its members to further community policing, and provides an effective means for citizen input. Volunteer efforts can help to free up officer time, and allow sworn personnel to be more proactive and prevention oriented.
2. Tactical elements
- a. Enforcement of laws. Community policing compliments the use of proven and established enforcement strategies, becoming one of many tools available to officers that can be collectively employed to prevent and combat crime. Police departments should be active partners in identifying laws that need to be amended or enacted, and work with lawmakers and organize citizen support efforts to change them.
 - b. Proactive, crime prevention-oriented. Under community policing, the focus of the police is not only on enforcement, but also emphasizes the need for crime prevention and for proactively addressing the root causes of crime and disorder. The community is actively engaged in collaborating on prevention and problem solving activities with a goal of reducing victimization and fear of crime.
 - c. Problem solving. Police, community members, and other public and private entities work together to address the underlying problems that contribute to crime and disorder by identifying and analyzing problems, developing suitable responses, and assessing the effectiveness of these responses. While enforcement is an integral part of policing, problem solving relies more on preventing crime through deterring offenders, protecting likely victims, and making crime locations less conducive to problems.
3. External elements
- a. Public involvement and community partnerships. In community policing, citizens are viewed by the police as partners who share responsibility for identifying priorities, and developing and implementing responses. Accurate surveying of customer needs and priorities is one way to determine the problems that drive police services, and give the public ownership of the problem solving process.
 - b. Government and other agency partnerships. Under community policing, other government agencies are called upon and recognized for their ability to respond to and address crime and social disorder issues. The support and leadership of elected officials, as well as the coordination of the police department at all levels, are vital to the success of these efforts.

Career Law Enforcement Officer. Hiring grants allow for payment of approved salaries and benefits for the hiring or rehiring of additional sworn career law enforcement officer positions for deployment in community policing activities. A "career law enforcement officer" is a person hired on a permanent basis who is authorized by law, by a state or local

public agency, to engage in or oversee the prevention, detection, or investigation of violations of criminal laws.

MORE Grants Support Community Policing. Community policing activities that are supported by MORE grants adhere to the same criteria as the Hiring grants, however, funding indirectly relates to community policing activities. Sworn officers are redeployed to enhance community policing activities as a result of time savings achieved through the use of technology, equipment, overtime, or civilian support services that are funded by MORE grants.

Examples - Can be Funded for Community Policing Activities

(Note: This list is NOT inclusive of all community policing activities.)

- Crime Prevention Efforts

Examples: Youth programs; anti-drug programs; regular meetings with community groups to discuss crime; and anti-violence programs.

- Problem-Solving Activities

Examples: Identifying crime problems with members of the community and other government agencies (e.g. probation office, prosecutor and courts); identifying crime problems by looking at crime trends; identifying top problems by analyzing repeat calls for service; preventing crime by focusing on conditions that lead to crime (e.g. abandoned buildings and cars); and building on information systems to enhance crime analysis capabilities.

Examples: Working with citizens to identify and address community crime problems; using computer systems to collect and analyze information, particularly repeat calls for service; coordinating specific problem-solving projects to address problems on their beats; working with other public agencies to solve disorder problems (e.g. trash collection, public works agencies to solve lighting problems); and mapping crime problems.

- Community Partnerships

Examples: Regularly surveying community members to assist in identifying and prioritizing crime problems; locating office or stations within neighborhoods; providing community policing training to citizens; meeting with community members to learn more about the nature of specific problems; and involving community members in selecting responses to problems and determining measures of success.

Examples: Participating in neighborhood watch programs, citizen volunteer programs, citizen advisory groups to the law enforcement agency; citizen patrols within the community, and anti-drug or anti-violence programs.

Examples: Participating with community organization working groups and /or special programs for schools and other interest groups, which enhance crime prevention. Programs examples are: Drug and Alcohol Resistance Education (DARE), Gang Resistance Education and Training (GREAT), Triad, School Resource Officer (SRO).

- Other Agency Partnerships

Examples: Juvenile justice services; probative, social services; parole; city and county departments; trash removal; school system; elected officials; and other public service providers.

- Patrol

Examples: Foot patrol, bike patrol or mounted patrol; making door-to-door contact with citizens and businesses; meeting with community leaders and groups to learn more about crime problems and jointly develop crime prevention plans; using business cards, cellular phones or beepers to maintain contact with citizens regarding public safety concerns; and working in schools or other public agencies to teach crime prevention.

B) Time Savings for Redeployment

DEFINITION

Time Savings for Redeployment applies only to the MORE grant program. The COPS MORE program goal is to reduce the amount of paperwork and administrative tasks performed by veteran trained officers so that they can spend more time on the street and in America's neighborhoods. Grants awarded under MORE are restricted to the purchase of technology, equipment, overtime for veteran officers (MORE '95 only), and the hiring of support resources (civilians) that will redeploy officers, or full time equivalents (FTEs), and enhance community policing activities within the agency's jurisdiction.

The time saved through MORE funded technology, equipment, overtime, and civilians must result in an increase in the number of officer FTEs redeployed. Redeployment of officer FTEs applies to sworn officers currently employed by the grantee who will be able to enhance community policing activities as a direct result of the purchase of the technology, equipment, overtime, or support services. Award of a MORE grant requires that the number deployed will be equal to or greater than the number of officers that would result from a COPS grant for hiring officers. Some MORE grantees with overtime and civilian hire grants received renewals for an additional 12 or 24 months and were required to demonstrate continued, but not additional, time savings or redeployment of officers with the new funds.

CONDITIONS

To meet the redeployment grant condition, applicants must ensure that the Time Savings for Redeployment that results from COPS MORE funding enhances community policing activities. Agencies must track time savings and assure COPS that as a result of the grant award community policing is being enhanced; however, there is not a requirement to track every hour of time saved to an hour of community policing.

The Time Savings for Redeployment condition results from: 1) technology or equipment; 2) overtime; and 3) civilians. Technology or equipment time savings is the amount of officer's time that the equipment or technology frees up by its use. Overtime time savings results from paying currently employed sworn officers additional monies for working additional hours beyond the normal work week to engage in community policing activities. Civilian time savings is the amount of time an officer was assigned to a job that is now being done by a civilian that replaced the officer.

The level of Time Savings for Redeployment of FTEs that is indicated in the application is a condition of awarding the funds. The FTE requirement is located on the award document that was signed by the Director of the COPS Office and accepted by the grantee's law enforcement executive. The COPS Office standard for a full-time-equivalent sworn officer equals 1,824 hours. The COPS Office recognizes there may be slight variances in the number of officers redeployed due to differences in shift hours between a grantee and the COPS Office standard formula for calculating redeployment.

Evidence of Time Savings. Agencies granted an award under the MORE program are required to calculate and track Time Savings for Redeployment realized from the equipment, technology, overtime (only for MORE '95 recipients), and civilians awarded. Once the technology or equipment funded by the grant is implemented and operational, grantees must complete a time savings tracking plan for each item, system or group of like items requested. This time savings tracking plan should be developed as soon as possible during the grant award period. This will assist agencies in developing baseline data and begin tracking the project's time savings as soon as a single element, function, or operation in a geographic area is fully implemented. Tracking must continue for at least one full year from the date technology or equipment is implemented and operational. This time is necessary for the agency to achieve the total time savings benefit identified.

No one method to track time savings can adequately cover all situations and all jurisdictions because each jurisdiction varies in size and each situation varies in complexity. Tracking methods can vary from estimating hours saved to directly tracking hours. The tracking method for time savings should, at least, demonstrate the time that is currently spent on duties without additional equipment or technology and how much time is spent on those same duties after the equipment or technology is operational.

All grantees must maintain the details of worksheets, studies, or any other written evidence that was used to track time savings and it must be kept at the local law enforcement agency. Grantees are required to produce time savings tracking plans and supporting tracking documentation during any monitoring or audit site visits.

Sworn officers should be fully aware of the community policing activities that are part of the local department's strategy. These are the activities that officers should carry out as a result of time saved. Supervisors should give instruction to field personnel on the community policing activities that need to be performed and have been approved through the grant program.

Report on Time Saved. Beginning in January 1999, tracking plans must be submitted with the MORE progress reports. These plans must include a statement explaining how time is being saved, the method used to track time savings (estimation, direct tracking sample, study, etc...), and the hours to complete the activity before and after equipment or technology is implemented. Once determined, the operational date must be declared. However, it is understood that before the operational date is declared, the portion of the plan asking for hours to complete the activity after implementation can not yet be determined.

Therefore, once operational and time savings have been tracked, a determination can be made about the actual total hours saved. At that time, a summary redeployment tracking worksheet or other document summarizing results of FTEs saved should be submitted to the COPS Office. An example of this worksheet is provided at the end of this section.

Additionally, the COPS Office may contact the agency, up to three times a year, to determine grant progress, the number of officers redeployed to community policing to date, and a timetable for future redeployment.

Examples - How to Calculate Time Savings

- An agency applied for and received four laptop computers to complete paperwork in their patrol cars. In the application, the agency estimated that using laptops to complete incident reports would reduce the time previously spent by half. For example, there are currently 10 officers in the department who will realize this time savings. It took each officer two hours per officer per shift to complete their paperwork before receiving COPS funded laptops. If the agency's tracking period is quarterly and the Time Savings for Redeployment are tracked for the first quarter (and the laptops were fully implemented and operational for the time period being tracked), the redeployment tracking would be computed like this:
 - 10 officers x 1 hour saved each shift/officer
 - x 57 shifts (number of shifts worked by each officer this quarter using the COPS standard of 228 shifts per year)
 - = 570 hours saved in the first quarter

Although the total number of hours achieved in the first quarter has been calculated, one last step remains. To determine the total FTE's redeployed in the first quarter, the time saved (570 hours) would be divided by 1,824 hours (number of FTE hours per year). In this case, .3 FTEs should have been tracked by the agency in the first quarter using the laptops awarded under the COPS MORE grant.

Some other examples of calculating redeployment, for 1 full year of redeployment, or for 3 months of redeployment:

- One to one civilian redeployment equals the amount of time an officer was assigned to a job that is now being done by a civilian that replaced the officer.

1 full year: 1 officer x 8 hours per shift x 228 shifts (COPS standard) = 1824 hours saved
1824 hours/1824 hours (the COPS standard) = 1 FTE

3 months: 1 officer x 8 hours per shift x 57 shifts = 456 hours saved.
456/1824 = .25 FTEs.

- Time savings may also be realized by multiple officers from a civilian hire. For instance, a department may hire a full-time civilian Community Service Officer to handle non-emergency calls. This may result in a time savings of 1.5 hours per shift for 7 officers in the department. In this case, redeployment could be calculated in the following manner:

7 officers will save 1.5 hours per officer per shift
x57 shifts in a quarter (using the COPS standard 228 shifts per year)
=599 hours / 1824 hours (COPS standard) = .33 FTEs

Summary redeployment tracking worksheet example. A summary redeployment tracking worksheet is included below to serve as a guide for reporting on time savings tracked by grantees.

Redeployment Tracking Worksheet	Equipment Item #1	Equipment Item #2	Civilian #1	Civilian #2	Overtime
Number of Items Awarded					
Number of Items Operational and in Use During Redeployment Tracking Period					
Number of Officers Saving Time Using Item Average Time Saved Per Officer Each Shift (Hours)					
Number of Shifts Per Officer					
Total Time Savings (Hours)					
/ 1824 hours					
Total FTE's Saved to Date					

C) Retention

DEFINITION

Hiring grantees must plan to retain the additional federally funded positions at the conclusion of the hiring grant funding period.¹ MORE grantees must plan to retain the federally funded technology/equipment and/or civilians² and the resulting redeployment once the required level of redeployment³ has been met. A distinction is made between planning to retain and retaining.

Retention planning for Hiring grants must demonstrate that a sincere and legitimate attempt was made by the law enforcement agency and by the governing body to secure and provide local funding to employ the additional federally funded officer positions at the conclusion of the grant funding period. MORE grantees are required to retain the federally funded technology/equipment and/or civilians and the resulting redeployment awarded under MORE grant awards.

A retention plan must be submitted with the Hiring grant application, beginning with applications submitted after June 16, 1998. MORE '98 grantees were required to submit a retention statement with their grant award application. For grantees that were not previously required to submit a retention plan with the grant application, the COPS Office may require evidence of retention planning efforts anytime during the hiring grant funding period for hiring grants or the redeployment period for MORE grants.

The COPS Office will measure successful retention as retention for one full local budget cycle following the conclusion of the hiring grant funding period for hiring grants or following the achievement of the required level of redeployment for MORE grants.

CONDITIONS

Hiring grantees must plan to retain the additional federally funded positions at the conclusion of the hiring grant funding period with non-COPS grant funding. MORE grantees must plan to retain the federally funded technology/equipment and/or civilians and the resulting redeployment once the required level of redeployment has been met with non-COPS grant funding. Evidence that the COPS grant retention planning condition is being met by grantees may come in two forms: 1) a written retention plan, or 2) supporting evidence of retention planning.

¹ The Phase I grant conditions never included a retention requirement. See Appendix A for a definition of the hiring grant funding period.

² MORE '95 overtime grantees are required to make a good faith effort to continue the proposed overtime activities funded under COPS MORE.

³ In this document the required level of redeployment is used generically, referring to the level of redeployment grantees must reach to be in compliance with their grant terms and conditions. See Appendix A for more information about the required level of redeployment for specific MORE grant programs.

The MORE retention planning requirement asserts that the department must plan to continue funding for the civilian positions(s), which will enable the department to redeploy officers. The grantee must continue the redeployment of time saved that resulted from the funding for equipment or technology. For example, this type of retention planning may be accomplished by including technology and equipment upgrades and maintenance funding in future year budget requests.

Throughout the grant period, all grantees must be able to provide evidence of how they are planning to retain the officer positions and the level of redeployment resulting from technology/equipment and/or civilians under the MORE grant. Planning evidence consists of memoranda, minutes of meetings, budget documents, and other planning documents produced during the grant period. Grantees may be required to produce evidence of retention planning efforts during any monitoring or audit activities. Additionally, grantees are required to answer questions in the Department Annual Reports and MORE Progress Reports regarding their plan to retain officer and/or civilian positions.

The Retention Plan. Retention plans submitted to the COPS Office must include these two elements to be acceptable:

1. Document co-signed by Chief Law Enforcement Official (Chief/Sheriff/Director of Public Safety, etc.) and Chief Executive Officer (Mayor/City Manager/Chairman of County Commission, etc.) that identifies:
 - The source of funding for the position(s)
 - The number of position(s) being retained
2. Supporting documents such as: local council minutes, inter-office memoranda, local government elected officials' memoranda, or a future budget projection (a cover letter should be provided explaining retention figures within the budget).

Grantees that cannot comply with their retention plan must submit documentation to support mitigating circumstances. The COPS Office will review each situation on a case-by-case basis to determine if there is evidence of sufficient mitigating factors to excuse retention. Examples of possible acceptable mitigating circumstances are provided at the end of this section.

The COPS Office will monitor the grantees for one full local budget cycle after the conclusion of the hiring grant funding period for hiring grants or after the achievement of the required level of redeployment for MORE grants. Grantees must plan to retain officer positions or level of redeployment resulting from technology/equipment and/or civilians from the beginning to the end of a local budget cycle, regardless of when the grant ends during the previous local budget cycle.

Grantees that need further assistance may contact the COPS Office for a Retention Tool Kit, which will help in developing a retention plan. This kit can be obtained by calling the DOJ response center at 800-421-6770.

Examples - Retention Planning, Retention Plan, and Mitigating Circumstances

- Evidence that retention planning efforts occurred throughout the life of the grant may include, but are not limited to:
 - Memoranda, minutes of elected official meetings or other documentation which demonstrates that the jurisdiction attempted to add the COPS positions to a request for local funding during local budget negotiations
 - Memoranda, minutes of elected official meetings or other documentation which demonstrates that the jurisdiction attempted to obtain other non-federal funding sources (such as state grants, for example) to support the additional positions at the termination of the COPS grant
 - Memoranda, minutes of elected official meetings or other documentation which demonstrates that the jurisdiction attempted to seek additional law enforcement funding from private sources, including corporate, non-profit, and foundation donations or grants
- Example of a Retention Plan. This must be written on agency letterhead.

This letter is to indicate that the ABC Police Department has employed three (3) officer positions under the provisions of the UHP grant, as well as employed one (1) civilian position under the COPS MORE grant. The City of ABC, along with the ABC Police Department, plans to retain these positions and fund them through the City of ABC's general fund. We will retain these four positions for at least one full local budget cycle, ending 9/30/99.

- Mitigating circumstances are those which demonstrate severe financial distress or a natural disaster. Documentation may include, but is not limited to:
 - Jurisdiction has been declared bankrupt by a court of law
 - Jurisdiction has been placed in receivership, or its functional equivalent, by the state or federal government
 - Jurisdiction has been declared a financially distressed area by its state
 - Budgetary imbalance or expenditure cutbacks resulting in significant reductions in other services provided by the law enforcement agency or significant lay-offs of the agency's personnel

-
- Extraordinary and unanticipated nonrecurring expenses and/or loss of revenue (including closure or relocation of major employers) resulting in material effect on a jurisdiction's fiscal condition
 - Significant downgrading of a jurisdiction's bond rating for fiscal-related reasons
 - Filing for bankruptcy, receivership or similar measure, with the request for relief pending
 - Location within an area in which a declaration of major disaster has been made pursuant to the Robert T. Stafford Disaster Relief and Emergency Assistance Act

D) Allowable Costs

DEFINITION

Allowable costs are those costs that are reimbursable under the COPS program as specified by the guidance of the grant. The costs should be reasonable in nature and permissible under the specific grant conditions. The allowable costs definition is different for Hiring grants and MORE grants.

For Hiring grants allowable costs encompasses the salaries, including approved benefits and cost of living increases as specified on the grant application, for three years for sworn entry-level, lateral-transfer, or rehired officers. All costs for new hires above entry-level positions may not be paid from the grant funds. Instead, up to 75% of the *entry-level* salary, with a \$75,000 limit over the 3 year grant period, will be paid by award money, and local funding will pay the remaining portion of the salary.

For MORE grants, allowable costs encompass the salaries, including approved benefits, for civilian hires during the life of the grant, including renewal periods if applicable. In addition, the MORE '95 grant program allowed for certain overtime costs of officers. Up to 75% of the salary will be reimbursed by award money, and the remaining portion of the salary will be paid by local-funding. The 75% reimbursement is not based upon entry-level salary and benefits. The COPS Office approval for funding civilian hires is based upon the cost effectiveness of replacing an officer with a support service position. The salary of the civilian hire is factored into the cost-effective equation and approved with the application. Further, up to 75% of the costs for approved equipment and technology purchases is reimbursable under the conditions of the grant.

CONDITIONS

Costs that are deemed allowable are different for Hiring and MORE grant awards. If the award is for a Hiring grant, funding allows for hiring new, additional full-time entry-level sworn officers or promoting a current part-time sworn officer into a newly created full-time COPS funded position. If a part-time officer is promoted to full-time for community policing purposes, then the grantee must replace the part-time vacant position using local-funding **before** expending COPS grant funds on the new full time position. The newly hired, additional full-time entry-level sworn officers do not have to be placed into

community policing. They may work wherever the department deems acceptable, but one veteran for each new hire must be redeployed to community policing activities.

If the award is for a part-time Hiring grant, the salary costs, including approved benefits, are only allowable if grant funds are being used to pay for a new part-time officer, not to increase the hours of currently employed part-time officer. Part time hours is defined by the grantee in their application and approved by the OC budget memorandum.

For both full-time and part-time grant awards, it is acceptable for grantees to recruit and hire non-sworn officers with COPS grant monies as long as the individual will become a sworn officer through the standard training and swearing-in procedures required by grantees' state or local law.

The determination of allowable costs for Hiring grants includes considering the local budget, which confirms the approved salary and benefits for the entry-level position. If the filled position is not entry-level, the grant funding can not pay for more than 75% of the portion of the salary and benefits of a position that is entry-level. The approved COPS grant application will specify the recipient share of outlays for the local match.

If the award is for a MORE grant, funding allows for the payment of support resources, including the salaries and approved benefits of civilian personnel, and overtime (MORE '95), and technology and equipment that have been approved by the COPS Office. The allowable costs must directly contribute to time savings and thereby enhance the community policing presence through redeployment.

The different types of costs that are considered reasonable, and therefore allowable, include the salary and approved benefits for civilian personnel who are employed for support services. MORE grants are awarded for one year only, with renewal available at the discretion of the COPS Office, subject to funding availability, for civilian hires and overtime for up to two years after the initial grant period. Depending on COPS Office's approval of renewal requests, the costs of salary and benefits for civilian support services may or may not be allowable.

For technology and equipment purchases, the term of the grant funding is one year. The grant application reflects whether the costs are timely and allowable. For COPS compliance purposes, timely is defined as consistent with the local government's procurement practices and allowable is defined as approved costs specified on the grantee's application.

It should be noted that it may be permissible to obtain additional items in support of the MORE grant as a result of cost savings. For example, a department requests and receives funding to obtain 8 computers and is able to obtain 10 computers at the same price due to discounts. All use of saved funds must be consistent with the program outlined in the approved application. Beginning March 8, 1999 the COPS Office required prior written approval only if the utilized saved funds will be in excess of \$1,000. However, the agency

will not be required to demonstrate additional redeployment based on the use of this money.

Examples - Allowable Costs by Program

- **Hiring Grant allowable costs:**

Allowable costs include the salaries and approved fringe benefits for three years for sworn entry-level, lateral-transfer, or rehired officers; and up to 75% of the *entry-level* salary, with a \$75,000 limit over the three-year grant period, will be paid by award money with the remaining portion of the salary paid by local-funding.

Approved fringe benefits include, but are not limited to, department costs for FICA/Social Security, health insurance, life insurance, vacation and sick leave not included in base salary, retirement benefit contribution, worker's compensation, unemployment insurance. Fringe benefits that are absolutely NOT approved are costs of equipment, training, uniforms, vehicles, and overtime. For assistance in determining other allowable costs under Hiring grants, please refer to the OC budget memorandum, which all grantees receive as part of their award package.

Salary and benefits may be paid during training if this is the grantee's standard practice for all officers. Examples of training include, but are not limited to, academy training, field training, and probationary training.

The transfer of veteran officers into community policing does not have to be contemporaneous with the hiring of new officers. Until the new hires finish the required training program for that particular grantee, veteran officers do not have to be transferred to community policing. (Training programs include academy, field, and probationary training.) The reason for this policy is two-fold. First, if veterans are deployed to community policing while the new hires are in training or are not fully prepared to fill the vacant position, there would be a deficiency in another area of the police department. Second, the policy encourages consistency for COPS grantees by allowing departments to transfer veterans to community policing and not use new hires for the community policing program.

- **Hiring Grant unallowable costs:**
 - a. overtime
 - b. training (other than salary or benefits paid during training)
 - c. weapons
 - d. communication equipment
 - e. uniforms
 - f. vehicles
 - g. indirect costs

-
- MORE Grant allowable costs:
 - a. mobile data computers/laptops
 - b. crime analysis hardware/software
 - c. mapping software
 - d. personal computers
 - e. automated aided dispatch systems
 - f. automated booking system
 - g. dictation systems
 - h. salary and benefits to civilians that result in the redeployment of sworn officers
 - i. administrative assistants
 - j. record clerks
 - k. booking clerks
 - l. dispatchers
 - m. certain overtime costs for officers (MORE '95)
 - n. certain training costs

The Memorandum of Estimated Funding will assist in determining the specific item that can be funded under the MORE grant award. The OC budget memorandum will also assist grantees in determining allowable costs.

- MORE Grant unallowable costs:
 - a. direct salaries and benefits of sworn officers
 - b. police vehicles
 - c. siren vehicle equipment
 - d. office equipment/furniture
 - e. weapons and ammunition
 - f. cellular telephones
 - g. radios
 - h. pagers
 - i. uniforms
 - j. narcotics dogs/horses
 - k. bullet proof vests
 - l. breathalyzers
 - m. radar guns
 - n. video cameras
 - o. phone lines and voice mail systems
 - p. educational material
 - q. television/VCRs

E) Source of Matching Funds

DEFINITION

The grantee is obligated to match a portion of the costs of the program, project, or activity as funded by the COPS program. Grant awards may cover up to 75% of the costs over the grant period as outlined in the application submission; therefore, the grantee must contribute at least 25% unless a waiver is obtained from the COPS Office. The match must be fully paid before the end of the grant period. This criterion follows the logic that the COPS program supplies “seed” money to various law enforcement agencies for community policing.

CONDITIONS

The Hiring and MORE grant awards have different compliance conditions for the local match requirement. For Hiring grant awards, the COPS grant will provide for up to 75% over three years with a maximum of \$75,000 for an entry-level salary and fringe benefits package. Grantees are responsible for at least 25% of the salary and fringe benefit package. If the position is not entry-level, any portion of the salaries or fringe benefits that are above an entry-level position must be provided by the grantee.

For MORE '95, '96, and '98 grant awards, the COPS grant will provide for up to 75% of the allowable costs for equipment and technology and civilian support services under the grant guidelines. Grantees are responsible for contributing at least 25% of the remaining cost. For civilian hires, the COPS grant will provide for up to 75% of the salary and approved benefits package. The 75% reimbursement is not based upon entry-level salary and benefits, but it is instead based upon the cost effectiveness of replacing or redeploying an officer for a support service position. The salary of civilian hire is factored into the cost-effective equation, which is approved with the application.

MORE grants are typically awarded for one-year periods unless grantees choose to apply for a renewal of grant funding for the civilian hires and overtime only. Approval of MORE grant renewal is at the discretion of the COPS Office and is subject to the availability of funds. The cost of civilian hire's salary and benefits package or overtime costs may be renewed for up to two years after the original grant period ends for a total of three.

There are two guidelines that must be observed by grantees, regardless of the type of grant awarded, when attempting to fulfill the source of matching funds requirement. One of these guidelines concerns the local contribution level of matching throughout the life of the grant. For MORE grants, the grantee is responsible for at least 25% of the total cost of allowable items. If it is a hiring grant, the local share must be at least 25% of the total cost of salaries and fringe benefits over the three-year period. For hiring grants the percentage

of total officers' salaries and benefits paid with Federal funds must be less in year two than in year one and less in year three than in year two. For example, if the award amount were \$75,000, the grantee could spend \$50,000 in Federal money the first year. The following year the grantee could spend \$15,000, the third year only \$10,000 of the Federal funds could be spent. While the Federal share decreases each year, all that is spent over the three year period is a maximum of \$75,000 .

The other guideline to follow concerns the type and source of the match. The type of match must be a *cash match* and the source of funds may *not* be Federal unless a Federal agency has specifically approved the use of its funds as a cash match to another federal grant program. The local match funds must be in addition to funds previously budgeted for specific law enforcement purposes and may *not* have come from other COPS grants or supplements.

Further, grantees may not count equipment costs towards the match. For example, if a MORE project costs \$100,000 total for computer, software, and installation, the applicant must pay \$25,000 towards the total project for the local match. The local jurisdiction may not substitute non-project expenditures, such as training officers on the equipment, toward the match.

If grantees include the source of the local match in the current year's operating budget, it must be intentionally budgeted in anticipation of the grant award or previously budgeted as reserve or discretionary monies in addition to funds previously budgeted for specific law enforcement purposes. If the supporting documentation clearly indicates either of these conditions exists, the grantee may use those funds as an acceptable source for the local cash match. If the documentation cannot support a causal link between the budgeted funds and the anticipation of the grant award or if the funds are not in addition to funds previously budgeted for specific law enforcement purposes, there is a violation of the matching funds requirement.

It should also be noted that grantees are excused from either the whole or a portion of the local cash match if the law enforcement agency has obtained a waiver. Only a small portion of waiver requests are granted and they are considered at the time of application or post-award if the community can prove severe financial distress or other severe mitigating factors. Grantees who are waived should have a copy of the COPS notification of the approved waiver on site.

Examples - Acceptable Sources of Matching Funds:

- New Local Appropriations
- State Funds: it is permissible to use state funds only if allowable by state law.
- Other Federal Funds: it is permissible to use federal funds only if allowable by the other particular federal funding agency (i.e. Bureau of Indian Affairs).
- Other Grant Funds: if the grant is a non-COPS related grant and only if allowable by the particular grant.
- Asset Forfeiture Fund Equitable Sharing Program
- Reserved, Discretionary, and Other Undesignated Law Enforcement Fund

F) Supplanting

DEFINITION

For the purpose of the COPS grants, supplanting means using COPS grant funds to replace state or local funds which otherwise would have been spent on law enforcement purposes. To be compliant with the non-supplanting requirement, COPS grant funds are to be used to supplement the budget of the law enforcement agency, not replace or supplant any currently, historically, or future appropriated funds.

The non-supplanting requirement of the COPS statute reads as follows:

“Funds made available under [the COPS statute] to States or units of local government shall not be used to supplant State or local funds, or, in the case of Indian tribal governments, funds supplied by the Bureau of Indian Affairs, but shall be used to increase the amount of funds that would, in the absence of federal funds received under [the COPS statute], be made available from State or local sources, or in the case of Indian tribal governments, from funds supplied by the Bureau of Indian Affairs.”

CONDITIONS

Regardless of the type of grant, complying with the non-supplanting requirement entails using COPS grant funds to increase the baseline level of funding by augmenting the level of State, local, or Bureau of Indian Affairs funds that would be made available in the absence of the grant. When specifically referring to Hiring grants, the increased level of funding pertains to hiring new officers. For MORE grants, the level of funding that should increase with the award of the grant applies to purchasing equipment and technology, hiring civilians, or reimbursing MORE '95 overtime.

Analysis of supplanting compliance is a two step process. The first step is to examine the facts that occurred during the life of the grant in order to determine if a supplanting violation *might* have transpired. The second step is to review pertinent data relative to the supplanting issue to ascertain *why* the action or decisions that impacted the non-supplanting requirement occurred. Examples of relevant information include both historic and current copies the grantee's budget, local government policies, and other documentation.

The key to determining whether a supplanting violation has occurred is to decide if the facts that might “look like” supplanting would have occurred regardless of the receipt of award money for reasons unrelated to the COPS grants. Supplanting violations may occur in three primary areas:

-
- Hiring sworn officers or civilians or purchasing equipment/technology, depending on the type of grant, before the award date of the grant.
 - Delays in filling vacant locally-funded sworn officer positions or civilian positions, depending on the type of grant.
 - Decreases in the baseline level of funding for sworn officers, civilians, and equipment/technology and decreases in the baseline level of sworn officer and civilian positions during the grant period.

Hiring Sworn Officers or Civilians or Purchasing Approved Technology and Equipment Before the Award Date of the Grant. Except for FAST and AHEAD recipients, grantees are prohibited from using COPS grant funds to pay for officers or civilians who are hired prior to the award start date of the grant. FAST and AHEAD grant recipients may not use grant funds to pay for officers hired before the approved hiring start date (FAST 2/8/95; AHEAD 10/1/94), which may differ from the date of award. If personnel are hired before the award date, or the approved hiring date, and are funded by the grant, the grantee must document that the officers or the civilians were hired in specific anticipation of receiving COPS grant money. Acceptable forms of documentation include:

- Internal departmental memoranda
- Governmental memoranda
- Documentation provided to the officers in question explaining that continued employment is contingent upon receiving grant money
- Budget documentation

The same provisions for hiring also apply to the purchasing of approved technology and equipment before the award date of the grant. If grantees acquired the technology and equipment that was requested on the grant application before the award date, documentation is needed to prove the purchase was in anticipation of the grant funding. The examples of acceptable documentation for Hiring grants can also be used to support the relationship between the purchased items and the expected grant award for MORE grants.

A unique exception to pre-award or pre-approval hiring date hiring requirement is the promotion of a part-time officer or civilian to full-time status under the COPS grant. The COPS Office must ensure that the department promoted in direct anticipation of the grant. The grantee must also hire a new officer or new civilian with local funds to backfill the vacant part-time position. COPS hiring grant funds may not be expended on the new full-time position until it has backfilled the part-time vacancy with a new hire using local funding. In such a situation, the COPS Office will perform reviews on a case-by-case basis.

If the supporting documentation, or lack thereof, reveals that the pre-award hiring or the purchasing of technology and equipment was not a direct result of anticipated grant funds, but would have occurred regardless of the grant availability, a supplanting violation has occurred.

Delays in Filling Vacant Locally-Funded Sworn Officer Positions or Civilian

Positions. The COPS guidelines state that the standard procedures used to fill locally-funded vacancies must be followed by grantees in a timely and active manner during the life of the grant. Any delay must not be a direct result of receiving grant funds. If evidence suggests that the local agency has delayed hiring locally-funded positions during the grant, discretion is necessary because each agency has unique recruiting and hiring procedures.

Grantees should follow their written procedures for recruiting and hiring locally-funded positions, however, a situation independent of the grant may have prevented their compliance with the procedures, such as a local hiring freeze for public safety or pending litigation. If grantees deviate from the written procedures, documentation should demonstrate the mitigating circumstances.

If grantees do not have formal documented procedures for hiring and recruiting, historical practices must be used as evidence of accepted procedures. In the situation where grantees have continued to follow those historical practices for filling vacancies in locally-funded positions during the period of the grant, the non-supplanting requirement is met. If a situation independent of the grant prevented their compliance with the historical actions, grantees must document the mitigating circumstances. If, after reviewing all pertinent documentation, there appears to be a causal link between the delays in filling locally-funded vacancies and the receipt of grant funding, then a supplanting violation has occurred.

For grantees without formal written guidelines, the following items are examples of areas that could be considered active recruiting and timely filling of vacant locally-funded positions:

- If the grantee typically hires replacement law enforcement officers from a civil service list of certified candidates, confirmation is necessary from the grantee or a civil service official that the grantee followed historical practices during the grant period should aid in showing compliance.
- If the grantee hires replacements to coincide with State, local, or law enforcement agency training academies, verification is necessary from the grantee or an academy official that the grantee followed similar practices after the grant award date.
- If the grantee experiences high turnover rates, confirmation is necessary that the grantee is following historical hiring procedures during the grant period.
- If the grantee hires both large numbers of COPS positions as well as locally-funded positions, examine the rate at which each type of position is filled.

Decrease in the Baseline Level of Funding. The goal of both the Hiring and MORE grants is to increase the “baseline” level of State, local, or Bureau of Indian Affairs funds which would otherwise be budgeted for sworn officer and civilian personnel with COPS

grants funds. For the purposes of the COPS program, the determinate for a possible supplanting violation includes both the level of funding and the level of sworn officer and civilian positions.

To determine the baseline level, the funding and the number of positions for sworn officers and civilians must be measured as of each grant's threshold review date. (See Appendix C for the applicable review date for each type of COPS grant.) This level should be reviewed for each fiscal year during the grant period in case any additional state or local funding had been budgeted for extra positions after the original threshold date. If the baseline funding increased during the grant period, the highest documented level of funding or positions for sworn officers or civilians should be used as the new baseline level.

If during the grant period the baseline level of funding or number of positions for sworn officer and civilian positions has decreased, it must be determined if there is a causal link between the decrease and the award of grant funding. Consideration should be given to the grantee's budget and other components of the local government budget. Supporting documentation is needed to justify that a decrease in baseline funding or baseline positions occurred for reasons that are unrelated to the COPS grant for adequate proof of non-supplanting compliance. Acceptable forms of supporting documentation may include, but are not limited to:

- City or county council meeting minutes
- Internal departmental budget directives
- Internal law enforcement agency documents
- Independent management studies recommending reductions
- Documentation for other local agencies outlining budget reductions

If the grant award is for part-time officers or civilian support services, the baseline funding level analysis is still applicable. If the funding level for part-time personnel decreases, supporting documentation reveals if there is a causal link between the decrease and the award of COPS funding.

In all situations, grantees are required to demonstrate that any reduction in local funding for sworn officers and civilians or a reduction in the number of sworn officer and civilian positions is unrelated to the receipt of COPS money to verify compliance.

Examples - Supplanting Situations

- When COPS-funded hires are excluded, a causal link has been determined to exist between the delay of filling vacant locally-funded positions and the receipt of grant funding.
- Any other indications that suggest that the amount of non-federal funding resources devoted to the hiring or rehiring of law enforcement officers has decreased in expectation of or as the result of receipt of a COPS grant.

G) Training: Special Conditioned Grantees

DEFINITION

Training is the act, process, or method by which sworn and non-sworn officers and civilians learn about community policing practices and other law enforcement techniques. The Community Policing Consortium, a COPS funded training provider, gives one type of training in the form of seminars that present information on a variety of different community oriented policing subjects in various cities across the country.

CONDITIONS

The Community Policing Consortium training seminars are mandatory for grantees designated as “special conditioned” on their Hiring or MORE grant award. *Sworn* officer representative(s) of the department must attend two community policing training seminars before the end of the grant period. In rare instances on-site technical assistance is available for grantees unable to attend the seminars. Upon approval, the grantee must either receive two on-site visits in lieu of the two training seminars, or participate in one on-site and one seminar. The COPS Training and Technical Assistance division administers the on-site portion of grantee training.

The “special condition” status is bestowed on those Hiring and MORE grantees who need training to fully comprehend community policing and all of its implications as determined by the COPS Office. Notification of this designation is sent to the grantee with the grant award. Usually new agencies and law enforcement departments or those departments that do not have a community policing strategy are given the “special condition” designation. Hiring and MORE grantees that do not qualify for the “special condition” standing may participate in the training seminars, but attendance is contingent upon availability.

The educational cost of the community policing training seminar is covered by the Community Policing Consortium. The only portion of the training exercise that must be absorbed by special conditioned and non-special conditioned grantees is the cost of travel and lodging. This cost cannot be charged to the COPS grant.

H) Reporting

DEFINITION

Two types of reports are required for grantees: 1) Program Progress Reports, and 2) Financial Status Reports. Program reports are survey instruments that the COPS Office uses to monitor grants. These program reports request information about the status of the grant in terms of selection, hiring and training; characteristics of the officers hired; descriptions of officer activities; and general information about the department. The

MORE Program requires submission of one MORE Progress Report detailing background information on the Department, equipment and technology purchasing and any information on civilian hiring. The financial reports request information on monies spent including amounts for Federal expenditures, local matching contributions, and the unobligated balance of the award. Financial status reports are reviewed by the Office of the Comptroller.

The type of program progress reports required depends on the type of grant award. The Hiring grants require three reports: 1) Department Initial Report, 2) Department Annual Report, and 3) Officer Progress Report. The MORE grants require only one MORE Progress Report.

CONDITIONS

The type of progress reports required depend on whether the grant is COPS Hiring or MORE. Financial status reports require the same format for all grants. Grantees are required to complete the financial status reports even if the grant has been in effect for only a portion of the reporting period and no money has been drawn down.

Department Initial Report: Hiring. The Department Initial Report is required only if the department has never previously received a COPS Hiring grant. This report solicits information regarding pre-grant data, which serves as a baseline for measuring the grantee's future progress in community policing. Information gathered includes training curriculum, demographics of police force, and community policing activities. The Department Initial report also collects information about a department's actual, budgeted, and authorized number of locally funded officers.

A hard copy of the Department Initial Report is mailed to all hiring grantees within 30 days of receiving an award packet if a grant is awarded for the first time. The report is due back to the COPS Office 45 days after receipt of the award packet by the grantee.

Department Annual Report: Hiring. The Department Annual Report solicits information very similar to the Department Initial Report. Questions on these reports include demographics of police force, retention plans, and community policing programs and activities. In addition, the Department Annual Report collects information about a department's actual, budgeted, and authorized number of locally funded officers. This information can be compared to the information provided in a Department's Initial Report to determine if the baseline level of locally funded officers has decreased over the life of the grant.

A hard copy of the Department Annual Report is mailed to all grantees awarded a Hiring grant. Department Annual Reports are mailed in December of each year, for the reporting period covering January 1 - December 31, throughout the lifetime of the grant. These reports are due in February of each year.

Officer Progress Report: Hiring. The Officer Progress Report solicits specific information pertaining to the officers hired under the COPS Hiring grants. Information gathered includes demographic information of the officers, duties and responsibilities of the officers and dates of key events (such as date of hire, graduation from academy and when training began and concluded).

Grantees are required to submit one Officer Progress Report for each officer awarded under the COPS Hiring grant program. The only exceptions to this are grantees awarded 30 or more officers. Those grantees awarded 30 or more officers are required to submit an Officer Progress Report in aggregate form.

A hard copy of the Officer Progress Report is mailed to grantees that were awarded between 1 and 5 officers within a particular reporting period. A disk version, as well as a hard copy version, of this report is mailed to grantees that were awarded between 5.5 and 29.5 officers within a particular reporting period. An aggregate version of this report is mailed to grantees that were awarded 30+ officers within a particular reporting period. Officer Progress Reports are mailed together with the Department Annual Report in December of each year, for the reporting period covering January 1 - December 31, throughout the lifetime of the grant. These reports are due in February of each year.

Progress Report: MORE. The MORE Progress Report requires the grantee to provide information about the enhanced levels of community policing that have resulted from the purchase of equipment and/or the hiring of civilian personnel funded under the COPS MORE grant program. The information requested will include documentation that demonstrates that the required level of redeployment is being maintained and monitored. As of January 1, 1999, grantees are required to submit a redeployment tracking plan with the MORE Progress Report. The information from this report will be used to monitor each grantee's progress and to provide summary data on the characteristics and activities of the project supported with COPS MORE funding.

The report must be completed by the grantee even if they have not hired the civilian personnel or purchased the equipment awarded under the COPS MORE program. The reports are mailed according to the original start award date. For example, if a grantee has an award start date of October 1, 1997, the progress report will be mailed on October 1, 1998. These reports are to be returned within 45 days of their receipt.

Financial Status Reports. The Financial Status Report, (SF-269A), is a required report for both Hiring and MORE grantees that is completed and sent to the Office of the Comptroller on a quarterly basis. This report requests information on monies spent, the breakdown of Federal and local matches, and the unobligated amounts. The Office of the Comptroller monitors the financial aspects of grants and will assist in completing much of the standard information, however, the grantee must provide specific financial information.

The completed SF-269A form is required within 45 days after the end of each calendar quarter. An option for completing the reports electronically is available. Payments to grantees are delayed if the most current financial status report has not been submitted at the time of the payment request.

For detailed information on the SF-269A, refer to the most current edition of the OC Financial Guide: U.S. Department of Justice, Office of Justice Programs, *Office of the Comptroller*. For grantees requiring additional technical assistance on financial issues, contact the OC Customer Service Center at 1-800-458-0786.

VI. COPS Performance Indicators

This section presents a checklist of performance indicators that can be used as a guide in determining whether or not COPS grantees are in compliance with the terms and conditions of the Hiring and MORE grant awards within each of the eight categories. Performance indicators present characteristics that are used to measure the results of the COPS program activity compared to its intended purpose and compliance requirements.

In general, written evidence that grantees are complying with grant laws and regulations is always required. Consequently, copies of **all** documentation should be kept at local law enforcement agency offices. Significant changes to grant applications must be submitted in writing to the COPS Office for prior approval. For example, prior approval is required for:

- Changes in number of officers that will be hired
- Extensions
- Salary and benefit changes
- Changes in required redeployment levels
- Changes in the type of equipment purchased

While interpreting the goal of any of the eight compliance categories and whether the terms and conditions of the COPS grant awards have been met, the intent of the program should be kept in mind. The overall intent of the COPS grant program is to help develop an infrastructure that will institutionalize and sustain community policing after Federal funding has ended. The ultimate goal of incorporating community policing is to improve public safety through better police work, while increasing the public's interaction and satisfaction with police services.

The checklist is grouped by the eight compliance categories, which are further subdivided by several performance standards. Performance standards represent distinct statements for each compliance category that together comprise a complete definition of each goal. Each standard is accompanied by a list of indicators that can be used to help determine compliance satisfaction within each category. Comments are available for each standard to provide additional information about the performance indicators, however, for detailed explanations refer to section five of this Guide.

A) Community Policing

GOAL: Law enforcement activities executed under the grant program qualify as community policing.

Performance Standards	Performance Indicators	Comments
Refer to section V, pages 9-13 for a complete definition of Community Policing.		
<p><u>Hiring and MORE Grants:</u> Local law enforcement agencies use grant funds to begin or enhance their community policing effort.</p>	<p>Community policing activities actually executed by the local law enforcement agency are generally the same as the activities identified in the approved grant application, or in any changes received in writing.</p>	<p>Any significant changes to the community policing activities identified in the grant application must be submitted in writing to the COPS Office.</p>
<p><u>Hiring Grants:</u> Local law enforcement agencies use grant funds to hire new officers or to redeploy veteran officers resulting in enhanced community policing activities.</p> <p><u>MORE Grants:</u> Time savings from MORE grants result in enhanced community policing activities.</p>	<p>Evidence of an agency's compliance with community policing activities may include, but is not limited to, the following:</p> <ul style="list-style-type: none"> • Working with citizen advocacy groups, and/or meeting with community groups and businesses to address local crime problems. • Participating in crime analysis. • Establishing crime prevention or drug prevention programs or participating in prevention efforts. • Performing bike or foot patrols. • Working with other government agencies to address crime and disorder problems. • Having a written strategic plan for community policing. • Offering or attending training in community policing. • Incorporating community policing into performance evaluations. • Decentralizing decision-making authority. • Assigning officers to a geographic beat to encourage community-police relations. • Establishing community partnerships. • Performing problem-solving activities. • Responding to specific community needs. • Establishing youth programs and activities. • Incorporating the use of volunteers into police work. 	<p>One or more of these indicators may be evidence that the local law enforcement agencies are using awards consistent with community policing.</p> <p>For more information please see section V. A).</p>

B) Time Savings for Redeployment

GOAL: MORE grant program awards result in time savings that is directly related to the redeployment of sworn officers who participate in community policing.

Performance Standards	Performance Indicators	Comments
Refer to section V, pages 13-16 for a complete definition of Time Savings for Redeployment.		
<u>MORE Grants:</u> Time savings resulting from MORE grant award implementation is being tracked.	Documented tracking plans developed by grantees show how time savings will be tracked for each item, system or group of like items requested. One or more of the following may be used to verify compliance: <ul style="list-style-type: none"> • Work study plans. • Studies using sampling techniques. • Directly tracking hours. • Acceptable cost accounting methods. • Any reasonable time estimation technique. 	<p>No single tracking method can cover all situations and all jurisdictions. Each jurisdiction varies in size and each situation varies in complexity.</p> <p>A time savings tracking plan should be developed as soon as possible during the grant award period and tracking must continue for at least one full year from the date technology or equipment is declared operational.</p> <p>These plans should include a statement explaining how time is being saved, the method used to track time savings (estimation, direct tracking sample, study, etc...), and the hours to complete the activity before and after equipment or technology is implemented.</p>
<u>MORE Grants:</u> Time is saved as a result of equipment, technology, overtime (funded only to MORE '95 grant recipients), or civilians awarded under the MORE program.	<p>One or more of the following may verify compliance:</p> <ul style="list-style-type: none"> • Documented tracking plans maintained by grantees that support time saved as a result of MORE grant awards. • Redeployment tracking documentation that supports time saved as a result of MORE grant awards submitted with MORE '98 Progress Reports. 	<p>Tracking a project's time savings is required once a single element, function, or operation is fully implemented.</p> <p>Once time savings has been tracked and a determination can be made about the actual total hours saved, a redeployment tracking worksheet summarizing results of FTEs saved should be submitted with progress reports, effective beginning January 1999.</p> <p>MORE renewals require evidence of continued, but not additional, redeployment.</p>
<u>MORE Grants:</u> As a result of time saved, grantees demonstrated enhanced community policing activities.	Documentation kept by local law enforcement agency showing that time saved as a result of equipment, technology, overtime (funded only to MORE '95 grant recipients), or civilians awarded results in additional community policing activity.	Grantees are required to identify the kind of community policing activities that have been enhanced as a result of time saved under the MORE grant.

C) Retention

GOAL: Additional positions and/or the level of redeployment funded under the grant program are retained with state or local funding at the conclusion of the grant program for one full local budget cycle.⁴

Performance Standards	Performance Indicators	Comments
Refer to section V, pages 17-20 for a complete definition of Retention.		
<p><u>Hiring Grants:</u> AHEAD, FAST, and UHP grantees are required to plan for the retention of added officer positions with non-COPS grant funding.</p>	<p><u>Hiring Grants:</u> One or more of the following may verify compliance:</p> <ul style="list-style-type: none"> • Written assurance is submitted with the grant award application that state and local agencies will plan to seek local or State (or certain Federal agreements) funding to retain the COPS funded officer position(s). • Certification in the application that states grantees understand and will abide by their submitted plans. • Written assurance is submitted with the Department Annual Reports that states how local agencies are planning to seek local or State (or certain Federal agreements) funding to add officer positions to their local budgets or maintain the level of redeployment after the COPS grant ends. • Beginning on June 16, 1998, a retention plan must be submitted with the grant application. • Grantees that received awards prior to June 16, 1998 can provide other evidence of retention planning efforts upon request. 	<p>Retention planning means that grantees must enter the three-year hiring grant program, or, for MORE, the one year grant period with the understanding that they are required to seek local funding to add these positions to their local budgets or maintain the level of redeployment after the COPS grant ends.</p> <p>Supporting planning evidence for Hiring grants is made up of memoranda, minutes of meetings, and other planning documents during the grant period.</p>
<p><u>MORE Grants:</u> Grantees must plan to retain the federally funded technology/equipment and/or civilians⁵ and the resulting redeployment after the required level of redeployment⁶ has been met.</p>	<p><u>MORE Grants:</u> One or more of the following may verify compliance:</p> <ul style="list-style-type: none"> • Retention statement is submitted with the MORE '98 grant award application that state and local agencies will plan to seek local or State (or certain Federal agreements) funding to retain the level of redeployment after the required level of redeployment has been met. • Written assurance is submitted with the MORE Progress Report that states how local agencies are planning to seek local or State (or certain Federal agreements) funding to maintain the level of redeployment after the required level of redeployment has been met. • Grantees that received MORE grant awards can provide other evidence of retention planning efforts upon request. 	<p>New requirement to submit a retention plan with the Hiring grant application is effective as of June 16, 1998. The plan also includes supporting documentation.</p>

⁴ There are two exceptions to this general rule. The Phase I grant conditions never included a retention requirement and MORE '95 overtime grantees are required to make a good faith effort to continue the proposed overtime activities funded under COPS MORE.

⁵ MORE '95 overtime grantees are required to make a good faith effort to continue the proposed overtime activities funded under COPS MORE.

⁶ In this document the required level of redeployment is used generically, referring to the level of redeployment grantees must reach to be in compliance with their grant terms and conditions. See Appendix A for more information about the required level of redeployment for specific MORE grant programs.

Performance Standards	Performance Indicators	Comments
<p><u>Hiring Grants:</u> Retention of officer positions is maintained for one full local budget cycle after the hiring grant funding period⁷ ends.</p> <p><u>MORE Grants:</u> Retention of the federally funded technology/equipment and/or civilians and the resulting redeployment for one full local budget cycle after the required level of redeployment⁸ has been met.</p>	<p><u>Hiring Grants:</u> Retention plan is fulfilled, if applicable, and retention maintained at least one full local budget cycle after the hiring grant funding period ends.</p> <p><u>MORE Grants:</u> Grantees retain the level of redeployment for one full local budget cycle after achieving the required level of redeployment.</p>	<p>Regardless of when during the local budget cycle the grant funding period ends, the grantee must retain officer positions or level of redeployment from the beginning of the next local budget cycle to the end of a local budget cycle.</p> <p>Mitigating circumstances may impact the retention requirement.</p>

⁷ The Phase I grant conditions never included a retention requirement. See Appendix A for a definition of the hiring grant funding period.

⁸ In this document the required level of redeployment is used generically, referring to the level of redeployment grantees must reach to be in compliance with their grant terms and conditions. See Appendix A for more information about the required level of redeployment for specific MORE grant programs.

D) Allowable Costs

GOAL: Reimbursable costs issued under the COPS program are reasonable in nature and permissible under the specific grant conditions. Grantees that receive waivers may receive more than 75% of officer salary or MORE project costs.

Performance Standards	Performance Indicators	Comments
Refer to pages 20-23 for a complete explanation of Allowable Costs.		
<u>Hiring Grants:</u> Recruited and hired agreed upon number of COPS-funded officers.	Supporting documentation verifies that positions filled since grant was awarded agree with the approved costs for hiring officers, as identified in the COPS grant award.	The grantee may recruit or hire, using COPS funding and following historic local practices, only the number of officer positions agreed upon in the approved grant award.
<u>Hiring Grants:</u> Requested reimbursement for 75% of entry-level salary for an officer, including benefits, for duration of grant. The maximum amount per officer is \$75,000 unless a waiver has been granted by the COPS Office.	One or more of the following may verify compliance <ul style="list-style-type: none"> Hiring confirmation paperwork with the offered and accepted salary, including benefits, available for review. Documented entry-level salary, including benefits, available for review. Reimbursement request agrees with 75% of department documented entry-level salary and benefits package for officers over three years. 	Only 75% of an officer's entry-level salary, including benefits, may be reimbursable under the hiring programs with a cap of \$75,000 over three years (unless a waiver has been granted). The remaining 25%, any costs over the cap, and any costs for salaries and benefits above entry-level must be paid by local-funding. Furthermore, the percentage of total officers' salaries and benefits paid with federal funds must be less in year two than in year one and less in year three than in year two.
<u>MORE Grants:</u> Reimbursement requests for civilian support services extend over the allowable period of time.	Copy of grant award and any approved renewals or extensions, if applicable, which verifies allowable reimbursement requests of costs.	MORE grants are awarded for one year only, with renewal available for up to two years after the initial grant period ends for civilian hires and overtime (MORE '95), at the discretion of the COPS Office, and subject to funding availability.
<u>MORE Grants:</u> Requested reimbursement for authorized technology/equipment.	Copy of approved grant award, which supports technology and/or equipment requests for reimbursement.	The grantee may only request reimbursement for those items agreed upon by the COPS Office on the approved grant award.
<u>Hiring Grants:</u> Officer positions funded as full-time positions are filled with officers working full-time and positions funded as part-time are filled with officers working part-time.	Supporting documentation is available detailing that COPS funded officers are in fact working either full-time or part-time in accordance with the grant award.	Hiring grants can either be awarded for full-time or for part-time positions. Depending on the type of grant award, the officer must work either full-or part-time to justify salary and benefit costs.
<u>Hiring Grants:</u> If a previous part-time officer was promoted to full-time under a COPS grant, then COPS monies were only expended after the vacant position was filled using local funding.	One or more of the following may verify compliance <ul style="list-style-type: none"> Paperwork associated with hiring new officers confirms a replacement part-time officer was hired with local-funding. Department budget and payroll accounts verify previous part-time officer was not paid salary and approved benefits from COPS monies until the part-time replacement was hired. 	The law enforcement agency is required to hire new, additional part-time officers with local funds to replace any previously employed part-time officers who were promoted to full-time status under a COPS grant. The grantee cannot use COPS monies to reimburse the salary and approved benefits costs of the promoted part-time officer until a replacement part-time officer has been hired.

Performance Standards	Performance Indicators	Comments
<u>MORE Grants:</u> Recruited and hired, or followed historic practices to recruit or hire, agreed upon number of COPS-funded civilian support services.	Number of positions filled since award of grant agrees with COPS Office approved expenditures for hiring costs.	The grantee may recruit or hire, using COPS-funding, only the number of civilian support positions agreed upon in the approved grant award.
<u>MORE Grants:</u> Cost of purchased technology/equipment is within parameters as stated on the approved award or as approved by the COPS Office.	One or more of the following may verify compliance: <ul style="list-style-type: none"> • Purchase requests and payment receipts for each item purchased available for review. • Copy of approved grant award confirms reasonableness of item's cost. 	If the payment of an item is to be deemed allowable, the cost must be reasonable. The approved grant award has the authorized amount available for use for the cost of an item. A comparison of the cost and the approved cost will assist in judging reasonableness. It should be noted that it may be permissible to obtain additional items in support of the MORE grant as a result of cost savings. Please see Section V D) for more details.
<u>MORE Grants:</u> Requested reimbursement for 75% of salary, including benefits, for a civilian hire for the duration of grant.	One or more of the following may verify compliance <ul style="list-style-type: none"> • Hiring confirmation paperwork with the offered and accepted salary, including benefits, available for review. • Documented salary level, including benefits, available for review. • Reimbursement request agrees with 75% of department documented salary and benefits package for civilian support services. 	Only 75% of a civilian hire's salary, including benefits, may be reimbursable under the MORE grants throughout the duration of the grant. The remaining 25% must be paid by local funding (unless a waiver is granted by the COPS Office). Fringe benefits for overtime were not an allowable cost under MORE '95 grant funding.
<u>MORE Grants:</u> Time spent working on support service activities equivalent to full-time or part-time, measured in FTE's.	Supporting documents detailing either time spent working on support activities or attendance records is equivalent to full time or part time, measured in FTEs.	MORE grants can either be awarded for full-time or for part-time positions. Depending on the type of grant award, civilian hire must work either full-time or part-time to justify the salary and benefit costs.
<u>MORE Grants:</u> If a previous part-time civilian was promoted to a full-time under a COPS grant, then COPS monies were only expended after the vacant part-time position was filled using local funding.	One or more of the following may verify compliance: <ul style="list-style-type: none"> • Paperwork associated with hiring new civilians confirms a replacement part-time civilian was hired with local-funding. • Department budget and payroll accounts verify the previous part time civilian was not paid salary and approved benefits from COPS monies until the part-time replacement was hired. 	The law enforcement agency is required to hire new, additional part-time civilians with local funds to replace any previously employed part-time civilians who were promoted to full-time status under a COPS grant. The grantee cannot use COPS monies to reimburse the salary and approved benefits costs of the promoted part-time civilian until a replacement civilian has been hired.

E) Source of Matching Funds

GOAL: Grantee contributes at least 25% (unless granted a waiver) of the costs of the program, project, or activity that is funded by the COPS program.

Performance Standards	Performance Indicators	Comments
Refer to pages 24-25 for a complete explanation of Source of Matching Funds.		
<u>Hiring Grants:</u> The grantee matched, or intends to match, the agreed upon percentage for the agreed upon hiring costs.	One or more of the following may verify compliance: <ul style="list-style-type: none"> Copy of approved grant award specifies agreed upon costs and percentage of match. Copy of departmental budget confirms the intention of the grantee to pay the match, or budget confirms that match has already been paid. 	The COPS grant will provide for UP TO 75% over three years with a maximum of \$75, 000 for an entry-level officer's salary and fringe benefits package. The grantee must cover AT LEAST 25% of the costs, unless a waiver has been granted by the COPS Office.
<u>MORE Grants:</u> Matched, or intends to match, for the hiring of civilian support services and technology and equipment purchases the agreed upon percentage for the agreed upon costs.	One or more of the following may verify compliance: <ul style="list-style-type: none"> Copy of approved grant award specifies agreed upon costs and percentage of match. Copy of departmental budget confirms the intention of the grantee to pay the match, or budget confirms that match has already been paid. 	The COPS grant will provide for UP TO 75% of the costs throughout the duration of the grant, including renewal periods if applicable, civilian hire's salary and fringe benefits package. The grantee must cover AT LEAST 25% of the costs, unless a waiver has been granted by the COPS Office. The grantee must pay AT LEAST 25% of all technology and equipment purchases (unless a waiver has been granted) while the COPS grant will contribute UP TO 75%.
<u>Hiring and MORE Grants:</u> The source of the match is cash.	Payment receipts or other documentation indicates the source of the match is cash.	The source of the match must be cash according to COPS program policy.
<u>Hiring and MORE Grants:</u> The source of the cash match is State, local, or approved Federal funds.	Department budget and payment receipts, or other documentation verify source of the cash match is State, local, equitable sharing, or other approved Federal or non-COPS grant funds.	Source of funds is state, local, or Federal. Funds may <i>not</i> be Federal unless a tribal government has permission to use the Bureau of Indian Affairs monies or the Federal agency gives express permission to use the funds for a match. The funds may <i>not</i> have come from other COPS grants or grant supplements.
<u>Hiring and MORE Grants:</u> Source of match was not previously budgeted for other specific law enforcement purposes.	Department budget, general ledger, payment receipts, or other documentation verify that the source of the match has not been specifically budgeted for other law enforcement needs.	The source of the cash match must be in addition to funds previously budgeted for specific law enforcement purposes.
<u>Hiring Grants:</u> The local contribution share increases each grant year while the Federal share decreases.	Department budget, general ledger, or other documentation verify the Federal contribution is decreasing while the local contribution is increasing each grant year.	As a percentage of the total, the local share must increase each year during the grant period, and, conversely, the Federal share must decrease.

Performance Standards	Performance Indicators	Comments
<u>Hiring and MORE Grants:</u> Cash match was paid in full before the grant period ended.	One or more of the following may verify compliance: <ul style="list-style-type: none">• Copy of approved award, including any approved no-cost extensions, specifies the end of the grant period.• Copy of department's budget, general ledger, or other documentation verifies payment of match before the end of the grant period. Or, if applicable, a copy of a waiver verifying that the grantee is excused from the entire match or a portion of the match.	The cash match must be fully paid before the end of the grant period. The grantee is excused from either the whole or a portion of the local cash match if the department has obtained a waiver.

F) Supplanting

GOAL: COPS grant funds are used to supplement the budget of the law enforcement agency, not replace any funds which would have been budgeted for the grant-funded purpose in the absence of the grant.

Performance Standards	Performance Indicators	Comments
Refer to pages 26-29 for a complete explanation of Supplanting.		
<u>Hiring Grants:</u> The COPS funding increased the baseline level of funding for sworn officers and, concurrently, the baseline level of sworn officer positions.	Copy of department and local government budget reflects increase during each fiscal year of grant implementation. Or, if the baseline level of funding for hiring and retaining officers or the level of sworn officer positions decreased, copies of department and local government budgets and other supporting documentation verify mitigating factors independent of grant award.	The goal of the grants is to increase the “baseline” level of State, local, or Bureau of Indian Affairs funds previously budgeted for sworn officers with COPS grants funds. A decrease in the baseline funds for officers during the life of the grant is in direct opposition of the goal of the COPS program. Grantees must show that there is no causal link between the decrease and award of grant funding. If the link is verified, a supplanting violation exists.
<u>Hiring Grants:</u> Grantee followed standard procedures used to recruit and hire part-time and full-time locally-funded officer vacancies in a timely and active manner during the life of the grant.	One or more of the following will verify compliance: <ul style="list-style-type: none"> • Copy of formal written procedures confirms grantee has not delayed in filling locally-funded positions. • If there are no formal written procedures, review of historic hiring practices support grantee’s compliance with actively trying to fill or filling locally-funded positions. • Copy of civil service list and the grantee’s or civil service officer’s confirmation that historical hiring practices are being followed. • Copy of State, local, or law enforcement training academy schedule verifies grantee’s intent to fill or actual filling of locally-funded positions in conjunction with training schedules. • Documented high-turnover rate for department supports grantee’s delay in filling vacant positions. • Rate and number of positions filled for both COPS-funded vacancies and locally-funded vacancies since award of grant is approximately the same. 	The COPS guidelines state that the standard procedures used to fill locally-funded officer vacancies must be followed by the grantee in a timely and active manner during the grant period. To determine if the grantee has continued its standard recruiting and hiring practice, various factors must be reviewed. Because of the unique recruiting and hiring practices of each agency, discretion is necessary.

Performance Standards	Performance Indicators	Comments
<u>Hiring Grants:</u> Grantee delayed in following standard procedures used to recruit and hire locally-funded part-time and full-time officer vacancies in a timely and active manner after the award of grant money because of mitigating circumstances independent of the receipt of grant funding. (May not be applicable to all grantees.)	Supporting documentation verifies independent mitigating circumstances for delay in filling locally-funded part time and full time officer vacancies.	The COPS guidelines state that the standard procedures used to fill locally-funded vacancies must be followed by the grantee in a timely and active manner after the receipt of grant money. If there has been a delay in filling locally-funded officer positions, mitigating circumstances independent of the grant award must be shown. Because of the unique recruiting and hiring procedures of each agency, discretion in judgement is necessary.
<u>Hiring Grants:</u> Grantee uses local funds to fill a part-time officer position left vacant when an officer was promoted to fill a full-time grant-funded position. Grant funds were not expended until the vacant position was backfilled.	All of the following are necessary to verify compliance: <ul style="list-style-type: none"> • Copy of local budget documents indicating that the level of funding for part-time positions has at least remained the same as before the grant award. • Copy of documentation demonstrating that the part-time officer was hired with local funds before grant funds were expended on the promoted full-time officer. 	If a grantee chooses to promote a previously employed part-time officer to fill a full-time COPS grant position, then grantee must hire a new, additional part-time officer with local funds to backfill the resulting vacancy. The grantee may not expend COPS hiring grant funds on the new full-time position until it has filled the part-time vacancy.
<u>Hiring Grants:</u> Officers funded under the COPS grants were hired after the award of the grant.	Documentation verifies the grant officers' hire date to be after the grant award date. Or, if officers were hired before the award date, supporting documentation confirms officers were hired with the direct anticipation of receiving a COPS grant.	COPS-funded officers are to be hired after the award date of the grant unless hired in direct anticipation of the grant. If officers were hired before the award date of the grant, and grant money is used to pay for the costs of salaries and benefits after the award, the grantee must prove that the officers were hired in anticipation of the grant award.
<u>MORE Grants:</u> Baseline level of funding for civilians and baseline level of civilian positions has increased during the life of the grant.	Copy of department budget reflects an increase during each fiscal year of grant implementation. Or, if the baseline level of funding civilians or the level of civilian positions decreased, copies of department, local government budgets, or other supporting documentation verify mitigating factors independent of grant award.	The goal of the grants is to increase the "baseline" level of State, local, or Bureau of Indian Affairs funds previously budgeted for civilian personnel with COPS grants funds. A decrease in the baseline funds for civilians during the life of the grant is in direct opposition of the goal of the COPS program. Grantees must show that there is no causal link between the decrease and award of grant funding. If the link is verified, a supplanting violation exists.

Performance Standards	Performance Indicators	Comments
<p><u>MORE Grants:</u> Grantee followed standard procedures used to recruit and hire part-time and full-time locally-funded civilian support vacancies in a timely and active manner during the life of the grant.</p>	<p>One or more of the following will verify compliance:</p> <ul style="list-style-type: none"> • Copy of formal written procedures confirms grantee has not delayed in filling locally-funded positions. • If there are no formal written procedures, review of historic hiring practices support grantee's compliance with actively trying to fill or filling locally-funded positions. • Copy of civil service list and the grantee's or civil service officer's confirmation that historical hiring practices are being followed. • Documented high-turnover rate for department supports grantee's delay in filling vacant positions. • Rate and number of positions filled for both COPS-funded vacancies and locally-funded vacancies since award of grant is approximately the same. 	<p>The COPS guidelines state that the standard procedures used to fill locally-funded civilian support vacancies must be followed by the grantee in a timely and active manner during the grant period. To determine if the grantee has continued its standard recruiting and hiring practice, various factors must be reviewed. Because of the unique recruiting and hiring practices of each agency, discretion is necessary.</p>
<p><u>MORE Grants:</u> Grantee delayed in following standard procedures used to recruit and hire locally-funded part-time and full-time civilian vacancies in a timely and active manner after the award of grant money because of mitigating circumstances independent of the receipt of grant funding. (May not be applicable to all grantees.)</p>	<p>Supporting documentation verifies independent mitigating circumstances for delay in filling locally-funded part time and full time officer vacancies.</p>	<p>The COPS guidelines state that the standard procedures used to fill locally-funded vacancies must be followed by the grantee in a timely and active manner after the receipt of grant money. If there has been a delay in filling locally-funded officer positions, mitigating circumstances independent of the grant award must be shown. Because of the unique recruiting and hiring procedures of each agency, discretion in judgement is necessary.</p>
<p><u>MORE Grants:</u> Grantee funded with local monies a part-time civilian position to backfill a position that was left vacant when another part-time civilian was promoted to fill a full-time grant-funded position. Grant funds were not expended until the vacant position was backfilled.</p>	<p>All of the following are necessary to verify compliance:</p> <ul style="list-style-type: none"> • Copy of budget documents indicating that the level of funding for part-time positions has at least remained the same as before the grant award. • Copy of documentation demonstrating that the part-time civilian was hired with local funds before grant funds were expended on the promoted full-time officer. 	<p>If a grantee chooses to promote a part-time civilian to fill full-time COPS grant position, then grantee must hire a new, additional part-time civilian with local funds to backfill the resulting vacancy. The grantee may not expend COPS hiring grant funds on the new full-time position until it has filled the part-time vacancy.</p>

Performance Standards	Performance Indicators	Comments
<u>MORE Grants:</u> Purchase of approved technology and equipment occurred after the award start date.	Purchase requests, payment receipts, or other documentation for each item purchased verifies purchase occurred after date of grant award. Or, if purchase of approved technology and equipment occurred before the award date, then purchase requests, payment receipts, department budget, or other supporting documentation confirms that purchases were made with the direct anticipation of receiving a COPS grant.	COPS funded technology and equipment items are to be purchased after the award date of the grant unless purchased in direct anticipation of the grant. If approved technology and equipment items are purchased before the award date of the grant, and grant money is used to pay for the costs of the items after the award, it must be proved that the items were purchased in anticipation of the grant award.
<u>MORE Grants:</u> Civilians performing support services under the COPS grants were hired after the award start date.	Paperwork associated with the hiring of new civilians for support services verifies the hire date to be after the award start date. Or, if new civilians were hired before the award date, then department budget and other supporting documentation confirms civilians were hired with the direct anticipation of receiving a COPS grant.	COPS funded civilian hires are to be hired after the award date of the grant unless hired in direct anticipation of the grant. If civilians were hired before the award date of the grant, and grant money is used to pay for the costs of salaries and benefits after the award, it must be proved that the civilians were hired in anticipation of the grant award.

G) Training: Special Conditioned Grantees

GOAL: Sworn officers, representing a “special conditioned” local law enforcement department, receive the required COPS Office approved community policing training or on-site technical assistance.

Performance Standards	Performance Indicators	Comments
Refer to pages 28 – 29 for a complete explanation of Training.		
<u>Hiring and MORE Grants:</u> Sworn officers from a department with a “special condition” designation have attended the two mandatory COPS community policing training seminars or the local law enforcement agency has received two technical on-site visits before the end of the grant period.	One of the following will verify compliance: <ul style="list-style-type: none">• Copy of training seminar attendance verifying that a sworn officer has fulfilled the requirement and/or documentation of on-site technical assistance visits.• Training evidence showing that seminars or on-site technical assistance was completed before the grant period ended.	A <i>sworn officer</i> must act as a representative for each department with a “special condition” designation. Department representative(s) must attend two training seminars, receive two on-site technical assistance visits, or obtain a combination of the two to achieve compliance.

H) Reporting

GOAL: Program Progress Reports and Financial Status Reports that provide information about the status of grants are promptly submitted to the proper Federal agency.

Performance Standards	Performance Indicators	Comments
Refer to pages 29 - 31 for a complete explanation of Reporting.		
<u>Hiring Grants:</u> Department Initial Reports are completed and submitted to the COPS Office within 45 days of receipt.	All of the following are necessary to verify compliance: <ul style="list-style-type: none">• Department Initial Report received by the COPS Office.• Department Initial Report completed accurately.• Department Initial Report submitted on time.• Sworn Force Level reported by three distinct categories: 1) Authorized; 2) Budgeted; and 3) Actual.	The Department Initial Report is required only if a hiring grant is awarded for the first time. This applies to Hiring grants only.
<u>Hiring Grants:</u> Department Annual Reports are completed and submitted to the COPS Office in February of each year.	All of the following are necessary to verify compliance: <ul style="list-style-type: none">• Department Annual Report received by the COPS Office, even if the grant has been in effect for only a portion of the reporting period.• Department Annual Report completed accurately.• Department Annual Report submitted on time.• Sworn Force Level reported by three distinct categories: 1) Authorized; 2) Budgeted; and 3) Actual.	Department Annual Reports are required until grant is closed out.
<u>MORE Grants:</u> MORE Progress Reports are completed and promptly submitted to the COPS Office within 45 days of receipt.	All of the following are necessary to verify compliance: <ul style="list-style-type: none">• MORE Progress Report received by the COPS Office, even if civilian personnel are not hired or equipment is not purchased.• MORE Progress Report completed accurately.• MORE Progress Report submitted on time.	Only one progress report is required for MORE grants. As of January 1, 1999, grantees are required to submit a redeployment tracking plan with the MORE Progress Report.

Performance Standards	Performance Indicators	Comments
<u>Hiring Grants:</u> Officer Progress Reports are completed and submitted to the COPS Office in February of each year.	All of the following are necessary to verify compliance: <ul style="list-style-type: none"> • Officer Progress Report received by the COPS Office, even if the grant has been in effect for only a portion of the reporting period. • Officer Progress Report completed accurately. • Officer Progress Report submitted on time. • For Awards of less than 30 officers: One complete report submitted for each officer or page one completed for each officer not hired. • For Awards of more than 30 officers: Report submitted in aggregate form. 	Officer progress reports applies to Hiring grants only. Officer Progress Reports are required until the grant is closed out.
<u>Hiring and MORE Grants:</u> Financial Status Reports are completed and submitted to the Office of the Comptroller within 45 days after the end of the calendar quarter.	All of the following are necessary to verify compliance: <ul style="list-style-type: none"> • Financial Status Reports, SF-269A, received by the Office of Comptroller. • Financial Status Reports, SF-269A, completed accurately. • Financial Status Reports, SF-269A, submitted on time. 	

Appendix A: Glossary of Terms

Allowable Costs

The Hiring programs provide for the salaries and approved fringe benefits for three years for sworn entry-level, lateral-transfer, or rehired officers. Only entry-level salary and fringe benefit costs are allowable costs under the grant. Overtime, training (other than salary and benefits paid during training), weapons, communication equipment, uniforms, vehicles and indirect cost are not allowable costs. The OC budget memorandum itemizes what costs are allowable.

The MORE program provides for the salaries and approved fringe benefits for the duration of the grant period, including through the renewal period if applicable, for civilian hires who perform support and administrative services. Equipment and technology reimbursement requests are also permissible under the program as long as the purchases contribute to time savings for the officers who can then be deployed to community policing activities. Overtime costs were also allowable under the MORE '95 program. The Memorandum of Recommended and Estimated Funding and the OC budget memorandum specify what costs are allowable under the MORE grants.

Authorized Official

The authorized and/or budgetary official is the individual in a grantee's organization who has final responsibility for all programmatic and financial decisions regarding a grant award.

Baseline Level

The "baseline" is the level of state or local funding for sworn personnel which would exist in absence of the COPS grant funds. To comply with the non-supplanting requirement, the grantee must use COPS grant funding to increase (supplement) the baseline at all times during the grant period.

Community Policing

Community Policing is a policing philosophy that promotes and supports organizational strategies to address the causes and reduce the fear of crime and social disorder through problem-solving tactics and community-police partnership.

COPS Office

The Office of Community Oriented Policing Services (COPS) is the "grantor agency" for the grantee's COPS grants. The COPS Office is directly responsible for programmatic

administering and monitoring the grant for the entire grant period. It contracts with the OC for financial administration of all grants.

Grant Award Period

The grant award period runs from the Official Award Start Date, which may be found on the Award Document, for three full years if a Hiring grant or for one full year if a MORE grant. If a grantee obtains a no-cost extension to the grant award period to provide additional time for spending the three-year or one year, depending on the type of grant, the official grant award period is extended until the end date of the no-cost extension.

Grant Number

This number, which uniquely identifies each grant, is presented in the following format: 95-CF-WX-0000, 95-CC-WX-0000, 95-UL-WX-0000 or 95-UM-WX-0000 for grants awarded in FY 1995 and 96-UL-WX-0000 or 96-UM-WX-0000 for grants awarded in FY 1996. Beginning in fiscal year 1999 grant numbers will be presented in the following format: 1999-CF-WX-0000. It can be found in the upper, left-hand corner the grant Award Page. The Office of Comptroller assigns the number.

Lateral Transfer

A “lateral transfer” is an experienced law enforcement officer that a COPS grantee hires *from another law enforcement agency* to fill a COPS grant position. As with all grant officers, lateral transfers must be hired by the COPS grantee *after* the official COPS grant award date or hiring authorization date if earlier (see Appendix C).

Matching Funds

As a condition of both types of grants, Hiring and MORE, the grantee is required to match in cash a portion of the allowable costs of the program, project, or activity as funded by the COPS program. Grant awards may cover up to 75% of the costs as outlined in the budget submission; therefore, the grantee must contribute at least 25% unless a waiver is obtained.

Obligation of Funds

Federal funds are considered "obligated" when the Director of the COPS Office or his designated official signs the grant award document. Funds are reserved against the grant until all the grant monies are spent or refunded to the Federal government. Local funds are considered "obligated" when the salaries and benefits have been paid or will be paid for work performed by the officer(s) during a previous pay period. Obligation means a legal liability to pay determinable sums for services or goods incurred during the same or future period.

Hiring Grant Funding Period

The hiring grant funding period begins the day a COPS-funded officer position is filled and runs through the time when the specific position has been funded for 36 months through COPS funds and the grantee's local match. The COPS Office recognizes that grantees awarded multiple officer positions may fill those positions at different times and that there may be interruptions because of these positions becoming vacant. Therefore, it is possible that there is a separate hiring grant funding period for each officer position and that the 36 months of funding may require more than three years to complete. The COPS Office will measure successful retention as retention for one full local budget cycle following the conclusion of the hiring grant funding period.

The Public Safety Partnership and Community Policing Act of 1994

The COPS Office is charged with fulfilling the mandates of this law. The purposes of the law are to: substantially increase the number of law enforcement officers interacting with members of the community; provide additional and more effective training to law enforcement officers to enhance their problem-solving, service and other skills needed in interacting with members of the community; encourage the development and implementation of innovative programs to permit members of the community to assist law enforcement agencies in the prevention of crime; and encourage the development of new technologies to assist law enforcement agencies in reorienting the emphasis of their activities from reacting to crime to preventing crime.

Redeployment

There are two major types of redeployment applicable only to MORE grant recipients: civilian and technology/equipment. Civilian redeployment is the amount of time an officer was assigned to a job that is now being done by a civilian who replaced the officer. Another type of civilian redeployment results from time savings for more than one officer. Technology/equipment redeployment is the amount of time the equipment/technology saved the officers using the equipment/technology.

Reduction in Funding in Sworn Personnel

If the baseline *decreases* during the grant period, as a result of a reduction in state or local funding for sworn personnel, the grantee must prove that the reduction is (or was) unrelated to the receipt of COPS funding to demonstrate compliance with the non-supplanting requirement.

Rehired Officer

A "rehired officer" is an officer who was (or is about to be) laid off for financial reasons unrelated to the COPS grant and is "rehired" with COPS grant funds after the official

COPS grant award date. COPS grantees should obtain written authorization from the COPS Office Legal Division to use COPS grants funds to rehire a laid off officer.

Required Level of Redeployment

In this document the required level of redeployment is used generically, referring to the level redeployment grantees must reach to be in compliance with their grant terms and conditions. MORE '96 and MORE '98 grantees are required to meet the "Required Level of Redeployment" stated on their grant award document. MORE '95 grantees are required to meet what was termed the "Actual Level of Redeployment" that they projected on their application and appears on their grant award document. *Please see below for more information.* It is important to note that grantees generally will not be able to reach their required level of redeployment until the project has been fully operational for 12 months. For example, after six months of full operation, a grantee would likely only have achieved half the required number of redeployed FTEs (full time equivalents). The COPS Office will measure successful retention as retention for one full local budget cycle after the required level of redeployment has been met.

- a) **MORE '96 and MORE '98:** These MORE grant programs used the term "Required Level of Redeployment" to refer to the number of FTEs that a grantee must redeploy as a result of time savings achieved through the purchase of equipment and technology or the hiring of civilians in order to meet the conditions of the grant under the MORE 96 and MORE 98 programs. This number is based on the calculation of up to 75% of the total project cost of items awarded divided by 75% of the cost of an officer up to \$25,000.

Example: The Marysville Police Department would like to be awarded funding for 20 laptop computers. The total cost of these laptops is \$100,000. The department can request up to 75% of the cost of the item (\$75,000). To calculate the "Required Level of Redeployment," The COPS Office divides 75% of the total cost of the item by 75% of the cost of an officer's salary for one year up to \$25,000. Officers at this department make \$40,000 per year. 75% of 40,000 goes over the \$25,000 cap, so COPS uses the \$25,000 figure. The formula used to calculate the department's "Required Level of Redeployment" is as follows:

$75,000/25,000 = 3.0$ FTEs. ("Required Level of Redeployment")

Therefore, the grantee would reach the required level of redeployment when the equivalent of 3.0 FTEs have been redeployed.

- b) **MORE '95:** The MORE '95 grant program used the term "Actual Level of Redeployment" to refer to the number of FTEs (full time equivalents) a grantee projected that they will redeploy as a result of time savings achieved through the purchase of equipment and technology or the hiring of civilians. Under the MORE '95 program, grantees are required to achieve the "Actual Level of Redeployment" to meet the conditions of the grant. This number is calculated by multiplying the number of

hours that are projected to be saved by the number of officers who will realize time savings and the number of shifts each of these officers will work in a year. This is divided by the COPS standard of 1,824 hours per year for one FTE. It should be noted that grantees may use different variations of this formula to calculate their estimated time savings as long as they use the COPS 1,824 hours standard for one FTE.

Example: The Marysville Police Department estimates that by using laptop computers to write their reports in the field, each of the officers in the department will be able to save 1 hour per shift. There are 30 officers in the department who will realize this time savings. The formula used to calculate the department's "Actual Level of Redeployment" is as follows:

1 hour x 30 officers x 228 shifts (COPS standard) = 6,840 hours
6,840 / 1,824 (COPS standard) = 3.8 FTEs. ("Actual Level of Redeployment")
Therefore, the grantee would reach the required level of redeployment when the equivalent of 3.8 FTEs have been redeployed.

Supplanting

For the purpose of a COPS grant, supplanting means replacing state or local funds which otherwise would have been spent on law enforcement purposes with Federal COPS funds. A grantee is prohibited from supplanting throughout the grant period, which means that a grantee may not use COPS funds to pay for any personnel, civilians or officers, or any technology and equipment that otherwise would have been employed, purchased, or made available with state or local funds regardless of the COPS program. COPS funds must instead be used to supplement a grantee's law enforcement budget.

Supplemental Grant Award

A Supplemental Grant Award is a grant award which adds monies to an existing grant under the same grant award number. Supplemental funds may be added to COPS AHEAD, FAST, and UHP grants. Although supplemental grant funds are added to an existing grant award number, they are not extensions of the existing grant. For all compliance purposes, supplemental grants are new grant awards with new grant start and end dates. The benefit of this is that the grantee's jurisdiction need only fill out one set of Program Progress Reports and Financial Status Reports for both the original grant award and any supplemental awards.

Support Services

Support services are those services provided by non-sworn personnel, including civilians, funded under the COPS MORE programs. The hiring of these personnel must result in the redeployment of sworn officers into community policing.

Sworn Career Law Enforcement Officer

A sworn career law enforcement officer is an officer hired on a permanent basis who is authorized by law or by a state or local public agency to engage in or supervise the prevention, detection or investigation of violations of criminal law.

Threshold Review Date

The COPS Office first measures the grantee's baseline as of a threshold review date (standard for each program), *plus* any state or local funding added for additional sworn officer positions after the threshold review date during the grant period. The baseline therefore may increase during the grant period if additional state or local funding is budgeted for sworn personnel (see Appendix C).

Appendix B: Examples of Compliance/Non-Compliance Cases

Source of Matching Funds

EXAMPLE 1. When audited, a police department shows that it paid its 25% local match to a COPS MORE grant with funds from the department's "equipment and technology" line item.

Possible Source of Matching Funds Violation. If grantees include the source of the local match in the current year's operating budget, it must be intentionally budgeted in anticipation of the grant award or previously budgeted as reserve or discretionary monies and have not been previously budgeted for specific law enforcement purposes.

Investigation and Analysis. The department provided a memorandum and related budget documents from its city budget office that showed the city had provided new, additional local funds to the department specifically to pay for the local match to the COPS grant. Because the MORE grant application requested funding for equipment, the city chose to place the required match into the "equipment and technology" budget line item. Further, other documentation revealed that the city also provided the additional local funding for the department in anticipation of the grant award.

Final Resolution. The grantee is compliant with the source of matching funds requirement.

Supplanting

EXAMPLE 1. The department has one open locally-funded full-time position. However, this position remains to be filled while the city continues to hire COPS funded officers.

Possible Supplanting Violation. In assessing the presence of supplanting, it is expected that the grantee will continue to hire new officers at a level consistent with the recent historical practice and take positive steps to fill all vacancies resulting from attrition. These steps must be taken in addition to hiring the officers funded with the COPS grant. A grant recipient may show, however, based on particular local fiscal or other conditions that it is not possible to take all of these steps, or that it would have taken the same action that raises a question of supplanting even if the COPS grant had not been awarded.

Investigation and Analysis. The city has been deemed to be in a state of financial emergency. Enough debt has been accumulated on behalf of the city that it needs to procure a \$300,000 loan to simply continue to exist. Further, it is understood that the entire city personnel staff has been laid off except for the City Manager and the remaining

police personnel. The city provides documentation demonstrating that all departments, including the police department, are under a city-wide hiring freeze.

Final Resolution. The grantee is compliant with the non-supplanting requirements. The vacancy is a result of a city-wide hiring freeze that is unrelated to the COPS grant.

EXAMPLE 2. Before receiving a COPS hiring grant, a city passes a tax increase for the specific purpose of adding 10 sworn officer positions to the police department. At the time of the grant award, the department has not hired any new officers for the additional 10 positions. Upon receiving grant funding, the department hires 10 new sworn officers and pays for the additional positions with COPS grant funds. The city then reduces the taxes the following year to “return” the previously enacted tax increase to the citizens.

Possible Supplanting Violation. The department is required to hire all new, additional officer positions for which the State or local funds would be budgeted in the absence of the grant *in addition* to hiring the additional COPS grant positions. The city may not reduce the department’s budget for sworn personnel as a direct result of the receipt of hiring grant funds.

Investigation and Analysis. The city committed additional local funds to hire 10 new sworn officers to the department before the COPS grant award was funded. This commitment of local funding increased the city’s baseline level of locally-funded sworn personnel by the additional 10 positions. The fact that the department has not filled these positions at the award date of the grant is irrelevant to the non-supplanting analysis.

Final Resolution. The city violated the non-supplanting requirement by using grant funds to replace local funds when hiring the 10 officers. The city had specifically instituted a tax increase for the purpose of hiring 10 new, additional sworn officers, and once the officers were hired, after the award of grant funding, the city “returned” the tax increase to the citizens.

The city ultimately agreed that it supplanted the local funds initially raised through increased taxes with COPS grant funds. The city agreed to repay the grant funds to the COPS Office to remedy the non-supplanting violation.

EXAMPLE 3. A department receives a MORE grant to purchase 10 mobile data terminals (MDT’s). The grant award start date is October 1, 1998. When audited, the department provides copies of the purchase orders for the MDT’s which were signed on June 1, 1998. The department did not pay for the terminals until November 1, 1998, and the MDT’s were not delivered into the department until December 1, 1998.

Possible Supplanting Violation. All COPS MORE grant funds must be expended on civilians hired or equipment purchased following the award date of the COPS grant. If

personnel are recruited or hired before the award date of the grant, or if equipment was purchased before the award date, there must be a clear and direct causal link between the hiring and the anticipation of grant funding. Further, MORE grantees must purchase new, additional equipment and technology that would otherwise not be purchase with State or local funds.

Investigation and Analysis. If the signed purchase order from June 1, 1998 represented a commitment to purchase the MDT's without regard to the availability to COPS grant funding, the date of payment and delivery is irrelevant to supplanting analysis.

The department was unable to provide any supporting documentation to link the signed purchase order of June 1, 1998 to the anticipation of the MORE grant funding. The purchase order itself did not reference the source of funding for the MDT's, and it did not contain any clause that purchase was contingent upon outside factors regarding the source of funding. The department was unable to supply any correspondence between department officials and the vendor to indicate that the MORE funds had been discussed in any way in relation to the signed purchase order. In addition, a May 1998 memorandum from the city manager's office to the department authorized the department to sign the purchase order with the understanding that the city would pay for the terminals "if the federal grant did not come through."

Final Resolution. The grantee is not compliant with the supplanting requirement because it used grant funds to purchase the MDT's pre-award and not in direct anticipation of the award. The violation was confirmed with the memorandum from the city manager stating that the city would pay for the terminals if the COPS Office did not award the department a grant.

The department repaid the COPS MORE grant funds that had been expended on the MDT's.

Financial Reports

EXAMPLE 1. Records indicate that the grantee is behind in submitting financial status reports.

Possible Financial Reporting Violation. Financial Status Report (SF-269A) must be completed by grantee and returned on a quarterly basis to the COPS Office. The Financial Status Reports request information on monies spent including amounts for Federal expenditures, local matching contributions and the unobligated balance of the award.

Investigation and Analysis. There had not been any financial activity on the grantee's behalf for the past two quarters, but the financial reports must be completed and submitted to the COPS Office. The grantee completed one report covering all periods for which it

was delinquent (two quarters in this case) and faxed it to the appropriate COPS point of contact.

Final Resolution. The grantee is compliant with the financial reporting requirement.

EXAMPLE 2. Grantee claims they did not draw-down funds in the amount of \$13,897 on 11/13/97 as the Office of the Comptroller's records indicate.

Possible Financial Reporting Violation. Financial Status Report (SF-269A) must be completed by grantee and returned on a quarterly basis to the COPS Office. The Financial Status Reports request information on monies spent including amounts for both the Federal and local match portion of the award.

Investigation and Analysis. Although the grantee does not have any record of the transaction, a previous draw down for the same amount was processed six months earlier, and there were two draw downs from that account, one of which was posted on 11/13/97 according the Office of the Comptroller financial transactions records and the grantee's banking institution. It appears as if the grantees accounting records are in error and should be adjusted.

Final Resolution. Once the grantee adjusts their accounting records and verifies that their quarterly financial report accurately reflects grant expenditures, then they will be compliant with the financial reporting requirement.

Appendix C: Grant Threshold Review Dates

COPS Hiring Grants Program Name	Threshold Supplanting Review Date	Early Hire Review Date
Phase I	October 1, 1994	October 1, 1994
AHEAD	October 1, 1994	October 1, 1994
FAST	October 1, 1994	February 8, 1995
Universal Hiring Program (UHP)		
5/1/98 – 4/30/99 application	May 1, 1998	Award Start Date
5/1/97 – 4/30/98 application	May 1, 1997	Award Start Date
5/1/96 – 4/30/97 application	May 1, 1996	Award Start Date
5/1/95 – 4/30/96 application	May 1, 1995	Award Start Date

COPS Redeployment Grants Program Name	Threshold Supplanting Review Date	Early Hire or Purchase Review Date
COPS MORE '95	Application Submission Date	Award Start Date
COPS MORE '96	Application Submission Date	Award Start Date
COPS MORE '98	Application Submission Date	Award Start Date

Appendix D: Reference Material

U.S. Department of Justice Grant Policies

Financial Guide: U.S. Department of Justice, Office of Justice Programs, *Office of the Comptroller*; Current Edition.

Universal Hiring Program Grant Owner's Manual: U.S. Department of Justice, Office of Community Oriented Policing Services

COPS MORE '96 Grant Owner's Manual: U.S. Department of Justice, Office of Community Oriented Policing Services

Statutes

Public Safety Partnership and Community Policing Act of 1994;
42 USC § 3796dd-1 (c)

Administrative Requirements:

OMB Circular A-129, "Managing Federal Credit Programs"

OMB Circular A-102, "Grants and Cooperative Agreements with State and Local Governments"

OMB Circular A-110, "Uniform Administrative Requirements for Grants and Agreements with Institutions of Higher Education, Hospitals and Other Non-Profit Organizations"

Cost Principles:

OMB Circular A-21, "Cost Principles for Educational Institutions"

OMB Circular A-87, "Cost Principles for State, Local, and Indian Tribal Governments"

OMB Circular A-122, "Cost Principles for Non-Profit Organizations"

Audit Requirements:

OMB Circular A-133, “Audits of States, Local Governments and Nonprofit Institutions”

Code of Federal Regulations

**4 CFR Parts 101-105, Department of Justice/General Accounting Office,
“Joint Federal Claims Collections Standards”**

5 CFR Part 1320 “Controlling the Paperwork Burden on the Public”

**5 CFR Part 151 “Political Activities of State and Local Officials or
Employees”**

28 CFR Part 23 “Criminal Intelligence Systems Operating Policies”

**28 CFR Part 42 “Nondiscrimination; Equal Employment Opportunity;
Policies and Procedures”**

**28 CFR Part 66 “Uniform Administrative Requirements for Grants and
Cooperative Agreements with State and Local Units of Government”**

**28 CFR Part 67 “Governmentwide Requirements for Drug-Free Workplaces
(Grants)”**

28 CFR Part 69 “Governmentwide New Restrictions on Lobbying”

**31 CFR Part 205 “Treasury Department Regulations Implementing for Cash
Management Improvement Act of 1990”**

Executive Order 12547 “Non-Procurement Debarments and Suspension”

**Executive Order 12372, 28 CFR, Part 30 “Intergovernmental Review of Federal
Programs”**

Executive Order 12291 “Regulations”